

FEDERAL REGISTER

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Washington, Friday, January 9, 1953

TITLE 3—THE PRESIDENT

PROCLAMATION 3003

ENLARGING THE OLYMPIC NATIONAL PARK
WASHINGTON

BY THE PRESIDENT OF THE UNITED STATES
OF AMERICA

A PROCLAMATION

WHEREAS section 1 of the act of June 29, 1938, 52 Stat. 1241, established the Olympic National Park in the State of Washington;

WHEREAS section 5 of the said act provides in part as follows:

"The President may after eight months from the approval of this Act by proclamation add to the Olympic National Park any lands within the boundaries of the Olympic National Forest, and any lands which may be acquired by the Government by gift or purchase, which he may deem it advisable to add to such park; and any lands so added to such park shall, upon their addition thereto, become subject to all laws and regulations applicable to other lands within such park: *Provided*, That the total area of the said park shall not exceed eight hundred and ninety-eight thousand two hundred and ninety-two acres: *Provided further*, That before issuing any such proclamation, the President shall consult with the Governor of the State of Washington, the Secretary of the Interior, and the Secretary of Agriculture and advise them of the lands which he proposes to add to such park, and shall afford them a reasonable opportunity to consult with and communicate to him their views and recommendations with respect to the addition of such lands to such park."

WHEREAS it is deemed advisable and in the public interest that certain lands, hereinafter described, be added to the said park; and

WHEREAS it appears that the terms and conditions of the said act of June 29, 1938, have been fully complied with as to such lands:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, under and by virtue of the authority vested in me by the above-quoted provisions of section 5 of the act of June 29, 1938, do proclaim as follows:

1. Subject to all valid existing rights, the following-described lands within the boundaries of the Olympic National Forest are hereby added to and reserved as a part of the Olympic National Park:

WILLAMETTE MERIDIAN, WASHINGTON

T. 30 N., R. 10 W.,
secs. 23, 26, 27, and 28, those parts lying between the Olympic Highway and Soleduck Road as described in Proclamation No. 2380 of January 2, 1940 (54 Stat. 2678), and a line parallel to and 25 feet northerly or westerly from the Olympic Highway and the Soleduck Road as now improved, containing 10.96 acres, more or less.

T. 29 N., R. 5 W.,
sec. 17, NE $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$.

T. 29 N., R. 6 W.,
sec. 3.

Tract A, described as follows: Beginning at a point on the north section line which is south 89° 09' west, a distance of 450 feet from the northeast corner of sec. 3, T. 29 N., R. 6 W.; Thence south 1° 11' west, a distance of 640 feet to the north property line formerly of Oscar Nelson; South 89° 21' west, 180.96 feet to corner No. 13 of Homestead Entry Survey No. 231; North 1° 11' east, 639.54 feet along the east property line formerly of Oscar Nelson to the north section line of said sec. 3; North 89° 09' east to point of beginning, containing 2.66 acres, more or less;

Tract B, described as follows: Beginning at a point which is south 0° 56' west, a distance of 642.84 feet from the northeast corner of sec. 3, T. 29 N., R. 6 W.; Thence south 89° 21' west, 220 feet to true point of beginning; South 0° 56' west, 280 feet to the north line of the County road; South 85° 44' west, along the north line of the County road, 110 feet to the property line formerly of Oscar Nelson; North 0° 56' east, 280 feet, along the property line formerly of Oscar Nelson, to a point on the line between corners No. 13 and No. 14 of Homestead Entry Survey No. 231; North 89° 21' east, 110 feet to point of beginning, containing 0.71 acre, more or less.

T. 27 N., R. 11 W.,

secs. 1 and 2;

sec. 3, lots 1, 3, and 5, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, and S $\frac{1}{2}$, including the bed of the Bogachiel River;

secs. 4 to 6, inclusive, including the bed of the Bogachiel River.

T. 27 N., R. 12 W.,

secs. 1 and 2, including the bed of the Bogachiel River;

sec. 3, lots 1, 2, 3, 4, 6, 7, and 8, S $\frac{1}{2}$, and S $\frac{1}{4}$ N $\frac{1}{2}$, including the bed of the Bogachiel River.

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FEDERAL REGISTER

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T. 25 N., R. 10 W.,
sec. 31, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
sec. 32, lots 1 to 8, inclusive, N $\frac{1}{2}$ NE $\frac{1}{4}$,
SE $\frac{1}{4}$ NW $\frac{1}{4}$, and NW $\frac{1}{4}$ SW $\frac{1}{4}$, including
the bed of the Queets River;
sec. 33, that part of lot 9 south of the north
bank of Sams River.
T. 24 N., R. 10 $\frac{1}{2}$ W.,
sec. 1, that part of lot 1 south of the north
bank of Sams River; lots 2 to 9, inclusive;
lots 11 to 16, inclusive; N $\frac{1}{2}$ lot 19; N $\frac{1}{2}$
lot 20; N $\frac{1}{2}$ lot 21, including the bed of
the Queets River;
sec. 2, lots 1 to 3, inclusive; lots 6 to 16,
inclusive; former lots 4 and 5, now lots
22 to 27, inclusive, including the bed of
the Queets River.

2. Subject to all valid existing rights,
the lands owned by the United States
within the following-described areas are
hereby added to and reserved as a part
of the Olympic National Park; and the
lands within such areas which are not
now owned by the United States shall be-
come a part of such park upon acqui-
sition of title thereto by the United States:

WILLAMETTE MERIDIAN, WASHINGTON

T. 30 N., R. 6 W.,
sec. 15,
Tract A, described as follows: NE $\frac{1}{4}$ NE $\frac{1}{4}$,
EXCEPT all that portion thereof lying
easterly of the Mount Angeles Road
as now established and north of
the north line of Grant Avenue pro-
duced westward, said Grant Avenue
being shown on the plat of Highland
View Acre Tracts, recorded in Volume
4 of Plats, page 15, records of Clallam
County, Washington; and EXCEPT the
north 30 feet;
Tract B, described as follows: Beginning
at the northwest corner of the NW $\frac{1}{4}$
NE $\frac{1}{4}$; Thence south along the west
line of said NW $\frac{1}{4}$ NE $\frac{1}{4}$, a distance of
30 feet to the true point of beginning;
South along the west line of said NW $\frac{1}{4}$
NE $\frac{1}{4}$, a distance of 178.7 feet; East
on a line parallel to the north line of
said NW $\frac{1}{4}$ NE $\frac{1}{4}$, a distance of 208.7
feet; North on a line parallel to the
west line of said NW $\frac{1}{4}$ NE $\frac{1}{4}$, a dis-
tance of 178.7 feet to the south line of
the County road right-of-way; West
on a line parallel to the north line of
said NW $\frac{1}{4}$ NE $\frac{1}{4}$, 208.7 feet to the true
point of beginning.

T. 28 N., R. 13 W.,
sec. 16, That portion of the NW $\frac{1}{4}$ NW $\frac{1}{4}$
lying south of State Highway No. 9, con-
taining 11.75 acres, more or less.
T. 24 N., R. 11 W.,
sec. 1, lots 5 to 12, inclusive, and S $\frac{1}{2}$ N $\frac{1}{2}$;
sec. 2, lots 5 to 8, inclusive, N $\frac{1}{2}$ SE $\frac{1}{4}$, and
SW $\frac{1}{4}$ SW $\frac{1}{4}$;

sec. 9, SE $\frac{1}{4}$;
sec. 10, lots 1 to 9, inclusive, N $\frac{1}{2}$ NE $\frac{1}{4}$,
SW $\frac{1}{4}$ NW $\frac{1}{4}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$;
sec. 11;
sec. 12, N $\frac{1}{2}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$;
sec. 15, N $\frac{1}{2}$, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, and SW $\frac{1}{4}$
SE $\frac{1}{4}$;
sec. 16, NE $\frac{1}{4}$ and S $\frac{1}{2}$;
sec. 17, SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, and SW $\frac{1}{4}$ SW $\frac{1}{4}$;
sec. 18, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
sec. 19, lots 2 to 11, inclusive, N $\frac{1}{2}$ NE $\frac{1}{4}$,
NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$;
sec. 20, N $\frac{1}{2}$ and N $\frac{1}{2}$ S $\frac{1}{2}$;
sec. 21, N $\frac{1}{2}$;
sec. 22, NW $\frac{1}{4}$ and W $\frac{1}{2}$ NE $\frac{1}{4}$;
sec. 30, NW $\frac{1}{4}$.

Including the bed of the Queets River.
T. 24 N., R. 12 W.,
sec. 24, lots 1, 2, 3, and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
sec. 25, lots 1 to 10, inclusive, SE $\frac{1}{4}$ NE $\frac{1}{4}$,
N $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and S $\frac{1}{2}$ SW $\frac{1}{4}$;
sec. 26, S $\frac{1}{2}$ N $\frac{1}{2}$ and S $\frac{1}{2}$;
sec. 27, lots 1 to 9, inclusive, SW $\frac{1}{4}$ NW $\frac{1}{4}$,
and S $\frac{1}{2}$;
sec. 28, lots 1 to 10, inclusive, SE $\frac{1}{4}$ NW $\frac{1}{4}$,
NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$;
sec. 29, lots 1, 2, 3, 8 to 12, inclusive;
sec. 33, lots 1 and 2;
sec. 34, lots 1, 2, 3, 4, and N $\frac{1}{2}$ NE $\frac{1}{4}$;
sec. 35, N $\frac{1}{2}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$.

Including the bed of the Queets River.
T. 24 N., R. 13 W.,
sec. 3, NW $\frac{1}{4}$ SW $\frac{1}{4}$ and S $\frac{1}{2}$ S $\frac{1}{2}$;
secs. 4, 9, 10, 15, 16, and 22;
sec. 27, lots 1 and 2.

T. 25 N., R. 13 W.,
secs. 5 and 8;
sec. 9, SW $\frac{1}{4}$ and S $\frac{1}{2}$ NW $\frac{1}{4}$;
sec. 16, W $\frac{1}{2}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$;
sec. 17;
sec. 21, lots 1, 2, 3, 4, W $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$,
and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
secs. 28 and 33;
sec. 34, W $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$.

T. 26 N., R. 13 W.,
sec. 20, lots 4, 8, and 9;
sec. 28, SW $\frac{1}{4}$;
sec. 29, lots 1, 2, 3, S $\frac{1}{2}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, and NW $\frac{1}{4}$
NE $\frac{1}{4}$;
sec. 30, lots 1 and 2;
sec. 32;
sec. 33, W $\frac{1}{2}$;

T. 26 N., R. 13 W.,
sec. 17, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
sec. 18, lots 3, 4, S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$,
SE $\frac{1}{4}$ SW $\frac{1}{4}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$;
sec. 19, lots 1, 2, and 3;
sec. 20, lot 3.

Including the bed of the Hoh River.

T. 26 N., R. 14 W.,
sec. 1, lot 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$, and SW $\frac{1}{4}$;
secs. 2 and 11;
sec. 12, W $\frac{1}{2}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, and SW $\frac{1}{4}$ NE $\frac{1}{4}$;
sec. 13, lots 1 to 5, inclusive, and SE $\frac{1}{4}$ NE $\frac{1}{4}$;
sec. 14, lot 1.

T. 27 N., R. 14 W.,
sec. 6, lots 4 to 10, inclusive, and NE $\frac{1}{4}$
SW $\frac{1}{4}$;
sec. 7;
sec. 8, W $\frac{1}{2}$ W $\frac{1}{2}$;
sec. 16, S $\frac{1}{2}$ SW $\frac{1}{4}$;
secs. 17, 18, 20, 21, and 22;
sec. 23, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
sec. 26, W $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$;
secs. 27, 28, 34, and 35.

T. 27 N., R. 15 W.,
secs. 1, 2, 3, and 12.

T. 28 N., R. 15 W.,
sec. 4, W $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$;
secs. 5 and 8;
sec. 9, W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, and S $\frac{1}{2}$;
sec. 15, W $\frac{1}{2}$ SW $\frac{1}{4}$;
secs. 16, 21, and 22, excluding the Quillay-
ute Indian Reservation;

sec. 23, lots 1 to 8, inclusive, NW $\frac{1}{4}$ NW $\frac{1}{4}$,
SE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, and SW $\frac{1}{4}$ SW $\frac{1}{4}$;
secs. 26, 27, 28, 34, and 35, excluding
Quillayute Indian Res.;
sec. 36, SW $\frac{1}{4}$ NW $\frac{1}{4}$ and S $\frac{1}{2}$;
Including the bed of the Quillayute
River.

T. 29 N., R. 15 W.,
sec. 5, W $\frac{1}{2}$;
secs. 6 and 7;
sec. 8, W $\frac{1}{2}$;
sec. 17, W $\frac{1}{2}$;
secs. 18 and 19;
sec. 20, W $\frac{1}{2}$;
sec. 29, W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, and S $\frac{1}{2}$;
secs. 30 and 32.

T. 30 N., R. 15 W.,
secs. 5, 6, 7, and 8;
sec. 9, lots 1, 2, and 3;
secs. 17, 18, 19, 20, 29, 30, and 31;
sec. 32, lots 1, 2, and W $\frac{1}{2}$ SW $\frac{1}{4}$.

T. 31 N., R. 15 W.,
sec. 30, S $\frac{1}{2}$ N $\frac{1}{2}$ and S $\frac{1}{2}$;
sec. 31;
sec. 32, lots 3, 7, and 8.

T. 30 N., R. 16 W.

T. 31 N., R. 16 W.,

sec. 13, lot 4;
sec. 23, lot 1;
sec. 24, lots 1 to 10, inclusive;
sec. 25, lots 1 to 9, inclusive, SW $\frac{1}{4}$ NE $\frac{1}{4}$,
SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
secs. 26, 35, and 36.

The areas described aggregate 47,753.67
acres, more or less, of land and water.

The administration, protection, and
development of the lands within this
area shall be exercised under the direc-
tion of the Secretary of the Interior by
the National Park Service, subject to the
provisions of the act entitled "An act to
establish a National Park Service, and
for other purposes", approved August 25,
1916, 39 Stat. 535 (16 U. S. C. 1-3), and
acts supplementary thereto or amend-
atory thereof, and to all other laws, rules,
and regulations applicable to the said
park.

Nothing herein contained shall affect
any valid existing claim, location, or
entry made under the land laws of the
United States, whether for homestead,
mineral, right-of-way, or any other pur-
pose whatsoever, or shall affect the right
of any such claimant, locator, or entry-
man to the full use and enjoyment of
his land, or the rights reserved by treaty
to the Indians of any tribe.

IN WITNESS WHEREOF I have here-
unto set my hand and caused the seal
of the United States of America to be
affixed.

DONE at the City of Washington this
6th day of January in the year of our
Lord nineteen hundred and
[SEAL] fifty-three, and of the Inde-
pendence of the United States
of America the one hundred and seventy-
seventh.

HARRY S. TRUMAN

By the President:

DEAN ACHESON,
Secretary of State.

[F. R. Doc. 53-233; Filed, Jan. 7, 1953;
1:57 p. m.]

RULES AND REGULATIONS

TITLE 7—AGRICULTURE

Chapter VII—Production and Marketing Administration (Agricultural Adjustment), Department of Agriculture

PART 725—BURLEY AND FLUE-CURED TOBACCO

PROCLAMATION INCREASING NATIONAL MARKETING QUOTA FOR FLUE-CURED TOBACCO FOR 1953-54 MARKETING YEAR AND APPORTIONING QUOTA AMONG THE SEVERAL STATES

The purpose of this proclamation is (a) to increase the national marketing quota for flue-cured tobacco for the 1953-54 marketing year proclaimed on July 1, 1952 (17 F. R. 6022) and (b) to apportion the quota among the several States. The findings and determinations contained herein have been made on the basis of the latest available statistics of the Federal Government, and after due consideration of the data, views, and recommendations received from flue-cured tobacco producers and others as provided in a notice (17 F. R. 10974) given in accordance with the Administrative Procedure Act (60 Stat. 237).

Since flue-cured tobacco growers are now purchasing fertilizer and preparing the land to which tobacco will be transplanted, it is imperative that they be notified as soon as possible of their 1953 farm acreage allotments and marketing quotas. Therefore, it is hereby determined that compliance with the provisions of the Administrative Procedure Act with respect to the effective date is contrary to the public interest, and that the amendments made herein shall become effective upon the date of their publication in the FEDERAL REGISTER.

The Secretary has determined that in order to meet market demands and to prevent undue restriction of marketings the amount of the national marketing quota for flue-cured tobacco for the marketing year beginning July 1, 1953, as proclaimed in § 725.402 shall be increased an additional 5.3 percent. Therefore, paragraph (d) of § 725.402 is hereby amended to read as follows and the following paragraph (e) is added:

§ 725.402 Findings and determinations with respect to the national marketing quota for flue-cured tobacco for the marketing year beginning July 1, 1953.¹

(d) National marketing quota. The amount of flue-cured tobacco which will make available during the marketing year beginning July 1, 1953, a supply of flue-cured tobacco equal to the reserve supply level of such tobacco is 1,122 million pounds, and a national marketing quota of such amount is hereby proclaimed. It is determined, however, that a national marketing quota in the amount of 1,122 million pounds would

not meet market demands and would result in undue restriction of marketings during the 1953-54 marketing year and such amount is hereby increased by 15.3 percent. Therefore, the amount of the national marketing quota for flue-cured tobacco in terms of the total quantity of such tobacco which may be marketed during the marketing year beginning July 1, 1953, is 1,294 million pounds.

(e) Apportionment of the quota. The national marketing quota proclaimed in paragraph (d) of this section is hereby apportioned among the several States pursuant to section 313 (a) of the Agricultural Adjustment Act of 1938, as amended, and converted into State acreage allotments in accordance with section 313 (g) of the act as follows:

State:	Acreage allotment
Alabama.....	558
Florida.....	21,863
Georgia.....	150,647
North Carolina.....	839,838
South Carolina.....	120,442
Virginia.....	104,654
Reserve ¹	5,243

¹ Acreage reserved for establishing allotments for farms upon which no flue-cured tobacco has been grown during the past five years.

(Sec. 375, 52 Stat. 66, as amended; 7 U. S. C. 1375. Interprets or applies secs. 301, 312, 313, 52 Stat. 38, as amended; 7 U. S. C. 1301, 1312, 1313)

Done at Washington, D. C., this 6th day of January 1953. Witness my hand and the seal of the Department of Agriculture.

[SEAL] C. J. McCORMICK,
Acting Secretary of Agriculture.

[F. R. Doc. 53-208; Filed, Jan. 8, 1953; 8:51 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

Subchapter A—Civil Air Regulations

[Supp. 15]

PART 42—IRREGULAR AIR CARRIER AND OFF-ROUTE RULES

PREFLIGHT CERTIFICATION AND PREFLIGHT RESPONSIBILITIES

This supplement establishes procedures for recording compliance with the preflight responsibilities of the pilot in command.

Proposed rules on this subject were published on June 28, 1952, in 17 F. R. 5831, and all interested persons were afforded an opportunity to submit comments. Consideration has been given to all relevant matter presented.

1. Section 42.51-1, published on June 28, 1952, in 17 F. R. 5810, is amended by adding a note as follows:

NOTE. Under the provisions of § 42.60-5, an air carrier using a large aircraft is required to establish a procedure in its operations manual whereby the pilot in command will under certain conditions certify on an

appropriate form provided by the air carrier that the specified preflight action has been taken, and whereby such certification will be maintained as a part of its flight records.

Section 42.60-5 is hereby adopted to read as follows:

§ 42.60-5 Preflight certification (CAA rules which apply to § 42.60 (a) and (c)). In the interest of safety, the air carrier shall establish in all operations manuals maintained for the use and guidance of operations personnel a procedure whereby the pilot in command, who has not flown over the route and into the airport of destination within the preceding 60 days, will certify on an appropriate form provided by the air carrier that he has taken the preflight actions specified in § 42.51-1. The manual shall also contain a procedure for maintaining such certification as part of the air carrier flight records.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply sec. 601, 604, 52 Stat. 1007, 1010, as amended; 49 U. S. C. 551, 554)

This supplement shall become effective January 31, 1953.

[SEAL] F. B. LEE,
Acting Administrator of
Civil Aeronautics.

[F. R. Doc. 53-175; Filed, Jan. 8, 1953; 8:45 a. m.]

[Supp. 14]

PART 42—IRREGULAR AIR CARRIER AND OFF-ROUTE RULES

PERFORMANCE DATA; OPERATIONS FROM SOD RUNWAY SURFACES

The purpose of this supplement is to set forth the performance limitations data to be used in determining the allowable gross weight for a particular aircraft when taking off from or landing on sod runway surfaces.

As a result of experiments conducted by National Advisory Committee for Aeronautics and the United States Air Force to determine the coefficients of friction obtained on an average sod surface, it has been determined that for operations from sod runways, take-off distances must be approximately 17.6 percent greater than the distance required for take-offs from paved runways. Since the greater portion of this correction is necessary for stopping rather than for accelerating, the extra length may consist of runway beyond the point where the obstruction clearance line intersects the runway. In the case of landing distances, it has been determined that sod runways must be approximately 15 percent greater than those required for paved runways.

The proposed rules on this subject were published on April 12, 1952, in 17 F. R. 3237. Interested persons were afforded an opportunity to submit comments, and consideration was given to all relevant matter presented. The following rules are hereby adopted.

¹ Rounded to the nearest million pounds.

§ 42.80-8 Performance data; operations from sod runway surfaces (CAA rules which apply to § 42.80)—(a) General. The performance limitation data and information contained in this section are adopted to provide a comparable level of safety between operations utilizing sod surfaced runways and those utilizing paved surfaced runways. There are, of course, numerous types of runway surfaces which are neither paved nor sod. Obviously, it is not feasible at this time to categorize all of the runway surfaces and to establish specific correction factors for operations from them. Therefore, all runways which are not paved shall be regarded as sod runways, and the limitations data in this section shall be applied to such runways, except in those individual cases where the Administrator finds that a particular runway surface is such as to justify the use of a specific correction factor.

(b) Take-off limitation data. In computing the maximum allowable take-off weights for operations from sod runways, the take-off weight tables contained in §§ 42.80-1, 42.80-2, 42.80-3, 42.80-4, 42.80-5 or 42.80-7 shall be used in the following manner:

(1) Where the effective length of a sod runway has been established, the maximum allowable take-off weight shall be the lesser gross weight as determined by application of the effective length to the appropriate take-off table (a) and by application of the actual runway length to the corresponding take-off table (b). Take-off table (a) is used to determine the maximum allowable gross weight which will permit the aircraft to take-off within the effective runway length, while table (b) is used to determine the maximum allowable gross weight which will permit the particular aircraft to be accelerated and brought to a full stop within the actual length of available runway.

(2) Where the effective length of a sod runway has not been established, the maximum allowable take-off weight shall be determined by application of the actual runway length to the appropriate take-off table (b). Tables (b) incorporate a correction factor (approximately 17.6 percent) for an assumed obstruction height and/or a reduced coefficient of friction.

(c) Landing limitations data. In computing the maximum allowable landing weights for operations from sod runways, the landing weight tables contained in this section shall be used in the following manner:

(1) Where the effective length of a sod runway has been established, the maximum allowable landing weight shall be determined by application of the effective length to the appropriate landing weight table (a).

(2) Where the effective length of a sod runway has not been established, the maximum allowable landing weight shall be determined by application of the actual runway length to the appropriate landing weight table (b).

DOUGLAS DC-3, G102, G202A, S1C3G, AND C47's, R4D's WITH COMPARABLE HORSEPOWER ENGINES

TABLE 4—LANDING LIMITATIONS (SOD RUNWAY SURFACES)

(a) "Effective length" of runway required when effective length is determined in accordance with § 42.1 (a) (12) with zero wind and zero gradient.

Standard altitude in feet	Airplane weight in pounds and approach speeds ¹ in m. p. h.							
	22,000	V ₅₀	23,000	V ₅₀	24,000	V ₅₀	25,000	V ₅₀
	Distance in feet							
S. L.	2,830	86	3,015	88	3,210	90	3,390	92
1,000	2,900	86	3,080	88	3,275	90	3,465	92
2,000	2,965	86	3,155	88	3,350	90	3,540	92
3,000	3,040	86	3,235	88	3,425	90	3,630	92
4,000	3,115	86	3,320	88	3,520	90	3,715	92
5,000	3,210	86	3,410	88	3,605	90	3,805	92
6,000	3,300	86	3,505	88	3,705	90	3,910	92
7,000	3,410	86	3,610	88	3,810	90	4,015	92
8,000	3,500	86	3,725	88	3,935	90	4,135	92

(b) Actual length or runway required when effective length, considering obstacles, is not determined in accordance with § 42.1 (a) (12).

Standard altitude in feet	Airplane weight in pounds and approach speeds ¹ in m. p. h.							
	22,000	V ₅₀	23,000	V ₅₀	24,000	V ₅₀	25,000	V ₅₀
	Distance in feet							
S. L.	3,595	86	3,825	88	4,075	90	4,305	92
1,000	3,680	86	3,900	88	4,165	90	4,405	92
2,000	3,765	86	4,010	88	4,255	90	4,495	92
3,000	3,865	86	4,110	88	4,355	90	4,605	92
4,000	3,955	86	4,215	88	4,470	90	4,715	92
5,000	4,075	86	4,330	88	4,575	90	4,835	92
6,000	4,190	86	4,455	88	4,705	90	4,970	92
7,000	4,330	86	4,590	88	4,840	90	5,095	92
8,000	4,445	86	4,730	88	4,995	90	5,250	92

¹ Steady approach speed through 50 feet height m. p. h. TIAS denoted by symbol V₅₀.

LOCKHEED 18 G202A AIRCRAFT

TABLE 3—LANDING LIMITATIONS (SOD RUNWAY SURFACES)

(a) "Effective length" of runway required when effective length is determined in accordance with § 42.1 (a) (12) with zero wind and zero gradient.

Standard altitude in feet	Airplane weight in pounds and approach speeds ¹ in m. p. h.					
	17,500	V ₅₀	18,000	V ₅₀	18,500	V ₅₀
	Distance in feet					
S. L.	4,270	96	4,380	97	4,470	99
1,000	4,400	96	4,495	97	4,595	99
2,000	4,520	96	4,625	97	4,720	99
3,000	4,645	96	4,750	97	4,855	99
4,000	4,770	96	4,875	97	4,985	99
5,000	4,875	96	5,000	97	5,115	99
6,000	5,025	96	5,130	97	5,255	99
7,000	5,150	96	5,260	97	5,395	99
8,000	5,285	96	5,395	97	5,530	99

(b) Actual length of runway required when effective length, considering obstacles, is not determined in accordance with § 42.1 (a) (12).

Standard altitude in feet	Airplane weight in pounds and approach speeds ¹ in m. p. h.					
	17,500	V ₅₀	18,000	V ₅₀	18,500	V ₅₀
	Distance in feet					
S. L.	5,430	96	5,565	97	5,675	99
1,000	5,590	96	5,710	97	5,835	99
2,000	5,740	96	5,870	97	5,995	99
3,000	5,900	96	6,030	97	6,165	99
4,000	6,060	96	6,195	97	6,330	99
5,000	6,195	96	6,355	97	6,495	99
6,000	6,380	96	6,515	97	6,675	99
7,000	6,545	96	6,680	97	6,850	99
8,000	6,710	96	6,850	97	7,025	99

¹ Steady approach speed through 50 feet height m. p. h. TIAS denoted by symbol V₅₀.

CURTISS MODEL C-46 AIRCRAFT

TABLE 3—LANDING LIMITATIONS (SOD RUNWAY SURFACES)

(a) "Effective length" of runway required when effective length is determined in accordance with § 42.1 (b) (12) with zero wind and zero gradient.
(1) Curtiss Model C-46 certificated for maximum weight of 45,000 pounds.

Standard altitude in feet	Airplane weight in pounds and approach speeds ¹ in m. p. h.							
	40,000	V ₅₀	42,000	V ₅₀	44,000	V ₅₀	45,000	V ₅₀
	Distance in feet							
S. L.	4,255	99.0	4,435	101.5	4,635	104.0	4,725	105.0
1,000	4,370	99.0	4,555	101.5	4,760	104.0	4,855	105.0
2,000	4,485	99.0	4,680	101.5	4,880	104.0	4,985	105.0
3,000	4,600	99.0	4,805	101.5	5,015	104.0	5,120	105.0
4,000	4,730	99.0	4,935	101.5	5,145	104.0	5,250	105.0
5,000	4,845	99.0	5,060	101.5	5,285	104.0	5,380	105.0
6,000	4,960	99.0	5,190	101.5	5,415	104.0	5,520	105.0
7,000	5,095	99.0	5,330	101.5	5,570	104.0	5,670	105.0
8,000	5,235	99.0	5,470	101.5	5,715	104.0	5,820	105.0

(2) Curtiss Model C-46 certificated for maximum weight of 45,000 pounds.

Standard altitude in feet	Airplane weight in pounds and approach speeds † in m. p. h.							
	42,000	V ₅₀	44,000	V ₅₀	46,000	V ₅₀	48,000	V ₅₀
Distance in feet								
S. L.	3,325	92.5	3,450	94.5	3,575	97.5	3,695	99.0
1,000	3,405	92.5	3,530	94.5	3,655	97.5	3,780	99.0
2,000	3,490	92.5	3,615	94.5	3,740	97.5	3,865	99.0
3,000	3,575	92.5	3,695	94.5	3,830	97.5	3,945	99.0
4,000	3,675	92.5	3,795	94.5	3,930	97.5	4,050	99.0
5,000	3,750	92.5	3,875	94.5	4,020	97.5	4,155	99.0
6,000	3,830	92.5	3,960	94.5	4,115	97.5	4,255	99.0
7,000	3,925	92.5	4,075	94.5	4,220	97.5	4,370	99.0
8,000	4,025	92.5	4,180	94.5	4,330	97.5	4,485	99.0

(b) Actual length of runway required when effective length, considering obstacles, is not determined in accordance with § 42.1 (a) (12).
(1) Curtiss Model C-46 certificated for maximum weight of 45,000 pounds.

Standard altitude in feet	Airplane weight in pounds and approach speeds ¹ in m. p. h.							
	40,000	V ₅₀	42,000	V ₅₀	44,000	V ₅₀	45,000	V ₅₀
Distance in feet								
S. L.	5,415	99.0	5,645	101.5	5,900	104.0	6,015	105.0
1,000	5,560	99.0	5,795	101.5	6,060	104.0	6,175	105.0
2,000	5,710	99.0	5,955	101.5	6,220	104.0	6,350	105.0
3,000	5,860	99.0	6,120	101.5	6,385	104.0	6,515	105.0
4,000	6,015	99.0	6,280	101.5	6,550	104.0	6,680	105.0
5,000	6,170	99.0	6,440	101.5	6,730	104.0	6,850	105.0
6,000	6,330	99.0	6,605	101.5	6,895	104.0	7,025	105.0
7,000	6,485	99.0	6,785	101.5	7,090	104.0	7,215	105.0
8,000	6,650	99.0	6,960	101.5	7,275	104.0	7,405	105.0

¹ Steady approach speed through 50 feet height m. p. h. TIAS denoted by symbol V₅₀.

CURTISS MODEL C-46 AIRCRAFT

TABLE 3—LANDING LIMITATIONS (SOD RUNWAY SURFACES)

(2) Curtiss C-46 certificated maximum weight of 45,000 pounds.

Airplane weight in pounds and approach speeds ¹ in m. p. h.								
Standard altitude in feet		V ₅₀	44,000	V ₅₀	46,000	V ₅₀	48,000	V ₅₀
Distance in feet								
S. L.	4,230	92.5	4,395	94.5	4,555	97.5	4,705	99.0
1,000	4,330	92.5	4,490	94.5	4,650	97.5	4,805	99.0
2,000	4,440	92.5	4,600	94.5	4,755	97.5	4,915	99.0
3,000	4,555	92.5	4,705	94.5	4,875	97.5	5,020	99.0
4,000	4,665	92.5	4,830	94.5	4,990	97.5	5,150	99.0
5,000	4,775	92.5	4,935	94.5	5,120	97.5	5,290	99.0
6,000	4,875	92.5	5,065	94.5	5,240	97.5	5,415	99.0
7,000	4,995	92.5	5,185	94.5	5,370	97.5	5,560	99.0
8,000	5,125	92.5	5,320	94.5	5,510	97.5	5,710	99.0

100 feet height m. p. h. TIAS denoted by symbol V₅₀

¹ Steady approach speed through 50 feet height m. p. h. TIAS denoted by symbol V₅₀.

CONVAR MODEL 28-5ACF AND PBV-5A

TABLE 3—LANDING LIMITATIONS (SOD RUNWAY SURFACES)

(a) "Effective length" of runway required when effective length is determined in accordance with § 42.1 (a) (12) with zero wind and zero gradient.

Standard altitude in feet	Airplane weight in pounds and approach speeds ¹ in m. p. h.					
	23,000	V ₅₀	24,000	V ₅₀	25,000	V ₅₀
Distance in feet						
S. L.	3,935	86	4,105	88	4,245	90
1,000	4,040	86	4,215	88	4,370	90
2,000	4,145	86	4,330	88	4,485	90
3,000	4,255	86	4,370	88	4,610	90
4,000	4,360	86	4,585	88	4,725	90
5,000	4,470	86	4,665	88	4,845	90
6,000	4,570	86	4,775	88	4,970	90
7,000	4,680	86	4,880	88	5,090	90
8,000	4,785	86	4,990	88	5,205	90

(b) Actual length of runway required when effective length, considering obstacles, is not determined in accordance with § 42.1 (a) (12).

Standard altitude in feet	Airplane weight in pounds and approach speeds ¹ in m. p. h.					
	23,000	V ₅₀	24,000	V ₅₀	25,000	V ₅₀
Distance in feet						
S. L.	5,005	86	5,225	88	5,400	90
1,000	5,145	86	5,365	88	5,560	90
2,000	5,275	86	5,510	88	5,710	90
3,000	5,415	86	5,650	88	5,870	90
4,000	5,560	86	5,790	88	6,015	90
5,000	5,705	86	5,932	88	6,170	90
6,000	5,850	86	6,073	88	6,325	90
7,000	5,995	86	6,213	88	6,475	90
8,000	6,090	86	6,355	88	6,625	90

¹ Steady approach speed through 50 feet height m. p. h. TIAS denoted by symbol V₅₀.

CONVAIR MODEL 28-5A C/F AND PBV-5A

TABLE 4—LANDING LIMITATIONS

(a) "Effective length" of runway required when effective length is determined in accordance with § 42.1 (a) (12) with zero wind and zero gradient.

Standard altitude in feet	Airplane weight in pounds and approach speeds ¹ in m. p. h.				
	26,000	V ₅₀	27,000 ²	V ₅₀	28,000 ³
	Distance in feet				
S. L.	4,405	92	4,550	93	4,715
1,000	4,530	92	4,680	93	4,855
2,000	4,660	92	4,810	93	4,995
3,000	4,785	92	4,940	93	5,140
4,000	4,915	92	5,075	93	5,285
5,000	5,045	92	5,205	93	5,430
6,000	5,170	92	5,335	93	5,565
7,000	5,300	92	5,465	93	5,715
8,000	5,430	92	5,595	93	5,855

(b) Actual length of runway required when effective length, considering obstacles, is not determined in accordance with § 42.1 (a) (12).

Standard altitude in feet	Airplane weight in pounds and approach speeds ¹ in m. p. h.				
	26,000	V ₅₀	27,000 ²	V ₅₀	28,000 ³
	Distance in feet				
S. L.	5,605	92	5,805	93	6,000
1,000	5,765	92	5,970	93	6,175
2,000	5,925	92	6,145	93	6,350
3,000	6,090	92	6,315	93	6,540
4,000	6,255	92	6,485	93	6,725
5,000	6,420	92	6,660	93	6,910
6,000	6,580	92	6,830	93	7,085
7,000	6,745	92	7,005	93	7,275
8,000	6,910	92	7,170	93	7,450

¹ Steady approach speed through 50 feet height—m. p. h. TIAS denoted by symbol V₅₀.² Maximum weight for PBV-5A landplane.³ Maximum weight for 28-5A C/F.

DOUGLAS RB-1SA AIRCRAFT

TABLE 5—LANDING LIMITATIONS (SOD RUNWAY SURFACES)

(a) "Effective length" of runway required when effective length is determined in accordance with § 42.1 (a) (12) with zero wind and zero gradient.

Standard altitude in feet	Airplane weight in pounds and approach speeds ¹ in m. p. h.				
	19,000	V ₅₀	20,000	V ₅₀	21,300
	Distance in feet				
S. L.	3,280	86.0	3,575	88.5	3,960
1,000	3,370	86.0	3,680	88.5	4,075
2,000	3,460	86.0	3,785	88.5	4,185
3,000	3,550	86.0	3,885	88.5	4,300
4,000	3,640	86.0	3,990	88.5	4,410
5,000	3,730	86.0	4,095	88.5	4,525
6,000	3,825	86.0	4,200	88.5	
7,000	3,915	86.0	4,295	88.5	
8,000	4,010	86.0	4,400	88.5	

¹ Steady approach speed through 50 feet height m. p. h. TIAS denoted by symbol V₅₀.² Limited by § 42.82

DOUGLAS RB-1SA AIRCRAFT

TABLE 3—LANDING LIMITATIONS (SOD RUNWAY SURFACES)

(b) Actual length of runway required when effective length, considering obstacles, is not determined in accordance with § 42.1 (a) (12).

Standard altitude in feet	Airplane weight in pounds and approach speeds ¹ in m. p. h.				
	19,000	V ₅₀	20,000	V ₅₀	21,300
	Distance in feet				
S. L.	4,175	86.0	4,555	88.5	4,935
1,000	4,290	86.0	4,680	88.5	5,070
2,000	4,410	86.0	4,820	88.5	5,220
3,000	4,515	86.0	4,945	88.5	5,355
4,000	4,630	86.0	5,075	88.5	5,490
5,000	4,750	86.0	5,215	88.5	5,635
6,000	4,865	86.0	5,340	88.5	
7,000	4,990	86.0	5,465	88.5	
8,000	5,105	86.0	5,590	88.5	

¹ Steady approach speed through 50 feet height m. p. h. TIAS denoted by symbol V₅₀.² Limited by § 42.82.

BOEING MODEL S-307 AIRCRAFT

TABLE 3—LANDING LIMITATIONS (SOD RUNWAY SURFACES)

(a) "Effective length" of runway required when effective length is determined in accordance with § 42.1 (a) (12) with zero wind and zero gradient.

Standard altitude in feet	Airplane weight in pounds and approach speeds ¹ in m. p. h.				
	35,000	V ₅₀	40,000	V ₅₀	45,000
	Distance in feet				
S. L.	3,525	93	3,980	93.5	4,385
1,000	3,615	93	4,075	93.5	4,480
2,000	3,710	93	4,175	93.5	4,515
3,000	3,805	93	4,285	93.5	4,615
4,000	3,900	93	4,395	93.5	4,740
5,000	4,000	93	4,515	93.5	4,860
6,000	4,110	93	4,635	93.5	4,980
7,000	4,220	93	4,760	93.5	5,100
8,000	4,335	93	4,900	93.5	5,230

(b) Actual length of runway required when effective length, considering obstacles, is not determined in accordance with § 42.1 (a) (12).

Standard altitude in feet	Airplane weight in pounds and approach speeds ¹ in m. p. h.				
	35,000	V ₅₀	40,000	V ₅₀	45,000
	Distance in feet				
S. L.	4,475	93	5,050	93.5	5,570
1,000	4,595	93	5,170	93.5	5,715
2,000	4,710	93	5,300	93.5	5,865
3,000	4,835	93	5,440	93.5	6,015
4,000	4,960	93	5,580	93.5	6,170
5,000	5,085	93	5,735	93.5	6,335
6,000	5,220	93	5,895	93.5	6,515
7,000	5,360	93	6,030	93.5	6,685
8,000	5,510	93	6,220	93.5	6,890

¹ Steady approach speed through 50 feet height m. p. h. TIAS denoted by symbol V₅₀.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies secs. 601, 604, 52 Stat. 1007, 1010; 47 U. S. C. 551, 554)

This supplement shall become effective January 31, 1953.

[SEAL]

F. B. LEE,
Acting Administrator
of Civil Aeronautics.

[F. R. Doc. 53-176; Filed, Jan. 8, 1953;
8:46 a. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter IV—Production and Marketing Administration and Commodity Credit Corporation, Department of Agriculture

Subchapter A—General Regulations and Policies

PART 402—PRICING POLICY FOR CERTAIN COMMODITIES AVAILABLE FOR SALE

RESTRICTIONS ON EXPORT SALES; OTHER SALES

The regulation issued by the Commodity Credit Corporation and the Production and Marketing Administration published in 15 F. R. 1583, containing the pricing policy for certain commodities available for sale is hereby amended as follows:

1. Section 402.102 *Restrictions on export sales* is amended to read as follows:

§ 402.102 *Restrictions on export sales.* Sales are restricted to buyers not using Mutual Security Agency dollars or other funds of the United States Government, and commodities purchased may be resold to buyers using any such funds only if it is determined by CCC that the purchase price paid to it by the purchaser is not less than the price required by statute in the case of sales by CCC where payment is made with such funds. In the case of funds appropriated or reappropriated under Title III of the Mutual Security Appropriation Act of 1953 or funds allocated from any appropriations to the Director for Mutual Security, or the Mutual Security Agency, or the Department of State, the price paid to CCC must have been not less than the higher of the support price plus handling and storage costs or the domestic market price on the date of sale by CCC. In the case of other Government funds, the price paid to CCC must have been not less than the domestic market price on the date of sale by CCC.

2. Section 402.105 *Other sales* is amended to read as follows:

§ 402.105 *Other sales.* The general policy of Commodity Credit Corporation of making sales on a bid or negotiated basis will continue to apply to all sales not covered by this announcement, including all sales which involved the use of Mutual Security Agency or other U. S. Government funds. Inquiries with respect to such sales may be addressed to the Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C.

(Sec. 407, 63 Stat. 1055; 7 U. S. C. Sup. 1427)

Issued: January 6, 1953.

[SEAL]

LIONEL C. HOLM,
Acting President,
Commodity Credit Corporation.

[F. R. Doc. 53-211; Filed, Jan. 8, 1953;
8:52 a. m.]

TITLE 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of Foreign and Domestic Commerce, Department of Commerce

Subchapter C—Office of International Trade

PART 361—BRITISH TOKEN IMPORT PLAN

MISCELLANEOUS AMENDMENTS

Part 361 British Token Import Plan is amended in the following particulars:

1. In § 361.2 *What the plan is* the first sentence is amended to read as follows:

§ 361.2 *What the plan is.* The "British Token Import Plan" is an arrangement with the British Government which permits United States manufacturers, their authorized agents, or other qualified exporters, with established pre-war trade connections in the United Kingdom (England, Scotland, Wales, and Northern Ireland) to export to that area token shipments of specified commodities, the importation of which is generally prohibited from dollar sources by the British Government. * * *

2. In § 361.3 *How to obtain information* and in § 361.5 *Eligibility*, paragraph (b), "Office of International Trade, Areas Division, British Token Import Plan Unit" is amended to read: "Office of International Trade, British Commonwealth Division, British Token Import Plan Unit."

3. In § 361.6 *Applying for certification* paragraph (a) *Time and manner of submitting application*, subparagraph (2) (iii), "June 30, 1952" is amended to read "June 30, 1953".

4. In § 361.7 *Action by Office of International Trade* paragraph (b) *Issuance of token scrip*, subparagraph (3) (i), "June 30, 1952" is amended to read "June 30, 1953".

5. In § 361.10 *Commodity list* the following commodity entries are amended by the addition of related footnotes as set forth below:

LEATHER PRODUCTS

138. Leather gloves, excluding industrial gloves.¹

APPAREL

6. Artificial silk clothing, except lace-trimmed¹, excluding hose. (Women's hose under group 179.)

108. Children's outer garments, knitted, netted, or crocheted, except lace-trimmed¹, excluding hose. (Artificial silk clothing un-

¹ This amendment reflects the changes made in the British Token Import Plan as continued for the calendar year 1953, and as previously announced by the Office of International Trade on December 30, 1952.

der group 6; cotton and woolen stockings under group 200.)

203. Corsets, girdles, and brassieres.¹

202. Garter and sanitary belts.¹

106. Underwear of material other than artificial silk, except lace-trimmed,¹ excluding corsets, girdles, and brassieres. (Artificial silk clothing under group 6.)

199. Women's dresses other than of silk or artificial silk. (Women's dresses of artificial silk under group 6.)^{1 2}

5. Women's felt hats.¹

179. Women's full-fashioned stockings of silk and artificial silk, excluding nylon.²

¹ Up to one-seventh of the quota available for the commodities listed in this entry may be used for imports of lace-trimmed garments.

² Upon request the British Board of Trade will grant licenses for the import of cotton dresses against token scrip issued to eligible manufacturers or their authorized agents who exported rayon dresses to the United Kingdom during the base period.

³ Up to one-third of the quota available for women's full-fashioned stockings of silk and artificial silk may be used for imports of nylon stockings.

(R. S. 161; 5 U. S. C. 22)

LORING K. MACY,
Director,

Office of International Trade.

[F. R. Doc. 53-207; Filed, Jan. 8, 1953;
8:51 a. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter I—Commodity Exchange Authority (Including Commodity Exchange Commission), Department of Agriculture

PART 1—GENERAL REGULATIONS UNDER THE COMMODITY EXCHANGE ACT

EXECUTION OF TRANSACTIONS

By virtue of the authority vested in the Secretary of Agriculture under the Commodity Exchange Act, as amended (7 U. S. C. 1-17a), and pursuant to notice published in the FEDERAL REGISTER on August 29, 1952 (17 F. R. 7905), § 1.38 of the regulations promulgated under the Commodity Exchange Act (17 CFR 1.38), is hereby amended to read as follows:

§ 1.38 *Execution of transactions—(a) Competitive execution required; exceptions.* All purchases and sales of any commodity for future delivery on or subject to the rules of a contract market shall be executed openly and competitively as to price by open outcry or posting of bids and offers or by other equally open and competitive methods, in the trading pit or ring or similar place provided by the contract market, during the regular hours prescribed by the contract market for trading in such commodity: *Provided, however,* That this requirement shall not apply to such transactions as are executed in accordance with written rules of the contract market which have been submitted to and not disapproved by the Secretary of Agriculture, specifically providing for the noncompetitive execution of such transactions.

(b) *Noncompetitive trades; exchange of futures, etc.; requirements.* Every person handling, executing, clearing, or carrying trades or contracts which are not competitively executed, including transfer trades or office trades, or trades involving the exchange of futures for cash commodities or the exchange of futures in connection with cash commodity transactions, shall identify and mark by appropriate symbol or designation all such transactions or contracts and all orders, records, and memoranda pertaining thereto.

(Sec. 8a, as added by sec. 10, 49 Stat. 1500; 7 U. S. C. 12a)

This amendment shall become effective April 1, 1953.

Issued this 5th day of January 1953.

[SEAL] C. J. McCORMICK,
Acting Secretary of Agriculture.

[F. R. Doc. 53-185; Filed, Jan. 8, 1953; 8:47 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 30, Collation 3]

CPR 30—MACHINERY AND RELATED MANUFACTURED GOODS

COLLATION 3—INCLUDING AMENDMENTS 1-41

Ceiling Price Regulation 30 is republished to incorporate the texts of Amendments 1 through 41, inclusive. Ceiling Price Regulation 30 was issued May 4, 1951 (16 F. R. 4108). Statements of Consideration for Ceiling Price Regulation 30 and for Amendments 1-41, inclusive, as previously published, are applicable to this republication. The effective dates of this regulation, and of the amendments, are shown in a note preceding the first section of the regulation.

REGULATORY PROVISIONS

COVERAGE

Sec. 1. Sellers and sales covered by this regulation.

CEILING PRICES ESTABLISHED

2. Ceiling prices established by this regulation.
3. General description of the pricing technique.

BASE PERIOD PRICES

4. Base period.
5. Category.
6. How to obtain your base period price.
7. Base period prices for commodities offered or delivered during the base period.
8. Ceiling prices for modified commodities.
9. Base period prices computed by formula.
10. Computation of ceiling price where you are unable to determine your base period cost.

HOW TO CALCULATE THE LABOR COST ADJUSTMENT

11. General description of how to calculate the "labor cost adjustment."
12. How to calculate the "labor cost adjustment" upon the basis of your entire business.

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13. How to calculate the "labor cost adjustment" upon the basis of a unit of your business.

HOW TO CALCULATE THE MATERIALS COST ADJUSTMENT

14. Manufacturing material.
15. General description of the methods available.
16. Omission of certain manufacturing materials from your calculations.
17. Method 1 (Aggregate method).
18. Method 2 (Individual commodity method).
19. Method 3 (Product line method using best selling commodity).
20. Method 4 (Composite bill of materials method).
20a. Option to propose a method.

SPECIAL INSTRUCTIONS TO BE FOLLOWED IN CALCULATING THE MATERIALS COST ADJUSTMENT

21. General nature of these instructions.
22. How to compute the net cost to you of a manufacturing material as of a prescribed date.
22a. Permissive computation of your materials cost adjustment on the basis of 75 percent of manufacturing materials.
23. How to compute net cost as of the applicable prescribed dates where you are using a substitute material not used during the base period.
24. Inclusion of transportation costs in the computation of net cost of a manufacturing material as of a prescribed date.
25. How to calculate the "materials cost adjustment" for joint products or by-products.
26. How to calculate the change in net cost of a manufacturing material which is produced in one unit of your business and transferred to another unit of your business.

SPECIAL PROVISIONS RELATING TO CEILING PRICES

27. General nature of these provisions.
28. Rounding ceiling prices.
29. Retention of GPCR ceiling price where the change in price is less than 1%.
30. Requirement for reduction of your ceiling price as otherwise determined for any increase in value of scrap or waste material.
31. Adjustment of ceiling prices quoted on a delivered basis for increases in transportation costs.
32. Optional method for determining a uniform ceiling price for a commodity manufactured in more than one plant.

MISCELLANEOUS PROVISIONS

33. Export sales and sales for export.
34. Excise, sales or similar taxes.
35. Prohibition against redetermination of ceiling prices.
36. Modification of ceiling prices by the Director of Price Stabilization.
37. Recalculation of ceiling prices and announcement of "materials cost increase factors".
38. Adjustable pricing.
39. Petitions for amendment.
40. Supplementary regulations.
41. Disregarding separate corporate identity upon written approval of the Director of Price Stabilization.
42. Use of "conversion steel" in calculating the "materials cost adjustment".
43. Temporary adjustments to carry out existing contracts.
43a. Manufacturers who cannot price under any other provisions.

Sec.

43b. Use of previous ceiling prices after effective date of this regulation in certain cases.

44. Records and reports.
45. Definitions and explanations.
46. Prohibitions.
47. Transfers of business or stock in trade.
48. Charges lower than ceiling prices.
49. Evasion.
50. Violation.

AUTHORITY: Sections 1 to 50 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup., 2101-2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

DERIVATION: Sections 1-50 contained in Ceiling Price Regulation 30, May 4, 1951 (16 F. R. 4108), except as otherwise noted in brackets following text affected.

EFFECTIVE DATES: CPR 30, December 19, 1951, or such earlier date between May 28, 1951, and December 19, 1951, as you may select. If you select such an earlier date, the regulation becomes effective as to you upon that date for all of your commodities covered by the regulation, 16 F. R. 4108.

Amendment 1, May 28, 1951, 16 F. R. 4890.
Amendment 2, May 28, 1951, 16 F. R. 4890.
Amendment 3, May 28, 1951, 16 F. R. 5010.
Amendment 4, June 19, 1951, 16 F. R. 5866.
Amendment 5, July 19, 1951, 16 F. R. 7150.
Amendment 6, July 31, 1951, 16 F. R. 7666.
Amendment 7, August 13, 1951, 16 F. R. 7931.

Amendment 8, August 27, 1951, 16 F. R. 8456.

Amendment 9, August 23, 1951, 16 F. R. 8542.

Amendment 10, September 5, 1951, 16 F. R. 8837.

Amendment 11, September 10, 1951, 16 F. R. 9086.

Amendment 12, September 11, 1951, 16 F. R. 9077.

Amendment 13, September 10, 1951, 16 F. R. 9159.

Amendment 14, September 22, 1951, 16 F. R. 9509.

Amendment 15, October 2, 1951, 16 F. R. 9890.

Amendment 16, October 2, 1951, 16 F. R. 9891.

Amendment 17, October 13, 1951, 16 F. R. 10259.

Amendment 18, October 15, 1951, 16 F. R. 10382.

Amendment 19, November 1, 1951, 16 F. R. 11162.

Amendment 20, November 9, 1951, 16 F. R. 11483.

Amendment 21, November 14, 1951, 16 F. R. 11483.

Amendment 22, December 10, 1951, 16 F. R. 12309.

Amendment 23, December 10, 1951, 16 F. R. 12309.

Amendment 24, December 15, 1951, 16 F. R. 12429.

Amendment 25, December 18, 1951, 16 F. R. 12617.

Amendment 26, December 26, 1951, 16 F. R. 12868.

Amendment 27, December 31, 1951, 16 F. R. 13087.

Amendment 28, January 4, 1952, 17 F. R. 153.

Amendment 29, January 19, 1952, 17 F. R. 422.

Amendment 30, January 28, 1952, 17 F. R. 721.

Amendment 31, February 2, 1952, 17 F. R. 857.

Amendment 32, March 15, 1952, 17 F. R. 2087.

Amendment 33, June 25, 1952, 17 F. R. 5721.

Amendment 34, July 26, 1952, 17 F. R. 6691.

- Amendment 35, August 1, 1952, 17 F. R. 6904.
 Amendment 36, August 26, 1952, 17 F. R. 7689.
 Amendment 37, August 26, 1952, 17 F. R. 7690.
 Amendment 38, October 17, 1952, 17 F. R. 9241.
 Amendment 39, November 5, 1952, 17 F. R. 9852.
 Amendment 40, November 12, 1952, 17 F. R. 10294.
 Amendment 41, November 25, 1952, 17 F. R. 10326.

[Effective date of regulation amended by Amdts. 3, 6, 7 and 20]

COVERAGE

SECTION 1. Sellers and sales covered by this regulation—(a) Commodities. (1) This regulation covers you if you are a manufacturer located in the United States, its territories or possessions, or the District of Columbia. It applies to any sale of any new and unused commodity listed in Appendix A as to which you are the manufacturer except sales at retail. In addition, however, you may elect to use this regulation for sales at retail. If you so elect you must use it for all of your sales at retail of commodities subject to this regulation, and you may not later alter your election.

(2) (i) If your gross sales of commodities, of which you are the manufacturer, for your last complete fiscal year prior to the effective date of this regulation were less than \$250,000, you may elect not to use this regulation, but if you so elect, you may not use this regulation for any commodities of your manufacture.

(ii) If on the effective date of this regulation you have not completed your first fiscal year of business, you may elect not to use this regulation, provided that on the basis of your experience you expect your gross sales of commodities of which you are the manufacturer to be less than \$250,000 for your first fiscal year. If you so elect not to use this regulation, you may not use it for any of your commodities. In the event gross sales of such commodities reach \$250,000 before the end of your first fiscal year, you thereupon become subject to this regulation and your election terminates.

[Paragraph (a) amended by Amdts. 2 and 32]

(b) **Installation or erection services.** If you are a manufacturer of a commodity covered by this regulation, or a parent, affiliate, or wholly owned subsidiary of the manufacturer, this regulation also covers your sale of that commodity on an installed or erected basis where you had a base period price as defined in section 7 of this regulation for the sale of that commodity on an installed or erected basis. It also covers the engineering or supervisory services, or both, furnished by you for the installation or erection of the commodity which you sell. Except as covered above, the assembly or other fabrication incidental to the erection or installation of a commodity listed in Appendix A of this regulation when performed at the site of installation or erection is not covered by this regulation. Your erection or installation services not covered by this regulation

are covered by CPR 93 (Construction and Related Services and Sales of Installed Materials).

[Paragraph (b) amended by Amdt. 30]

CEILING PRICES ESTABLISHED

SEC. 2. Ceiling prices established by this regulation. This regulation establishes ceiling prices for commodities dealt in between July 1, 1949 and June 24, 1950, for modifications of such commodities, for new commodities introduced subsequent to June 24, 1950 and for the services of installation and erection of those commodities. There are also special provisions relating to (a) rounding ceiling prices, (b) retention of ceiling prices established under the General Ceiling Price Regulation where the change is less than 1 percent, (c) reduction of ceiling prices to reflect any increase in the value of scrap or waste material, (d) adjustment of ceiling prices quoted on a delivered basis for increases in transportation costs, and (e) adjustment of ceiling prices for commodities manufactured in more than one of your plants.

SEC. 3. General description of the pricing technique. (a) Your ceiling price to your largest buying class of purchaser for sale of any commodity covered by this regulation is your base period price for the commodity, plus the "labor cost adjustment" and the "materials cost adjustment". Section 45 (Definitions) explains the meaning of your "largest buying class of purchaser". Sections 4, 5, 6, 7 and 9 tell you how to obtain your base period price; section 8 tells you how to obtain ceiling prices for modified commodities. Sections 11 through 13 tell you how to calculate the "labor cost adjustment". Sections 14 through 26 tell you how to calculate the "materials cost adjustment". If you do not wish to make either of these calculations, you may use your base period price as your ceiling price to your largest buying class of purchaser. If you wish to calculate only one of the adjustments, you may do so, in which case you will add only the amount of that one adjustment to your base period price.

[Paragraph (a) amended by Amdt. 34]

(b) Your ceiling price for the sale of the commodity to your largest buying class of purchaser must be consistent in every respect with your base period price; that is, it must carry all customary delivery terms, cash, trade and volume discounts, allowances, premiums and extras, deductions, guarantees, servicing terms and other terms and conditions of sale.

(c) Your ceiling price for sale of the commodity to your other classes of purchasers to whom you made sales during your base period is determined by applying your price differentials last used during your base period. In the event you made no base period sales to a particular class of purchaser, you apply your customary differentials in effect during your base period, or if none, then those last in effect before your base period. If you are selling to an entirely new class of purchaser you determine your base period price for that class of

purchaser under section 9 of this regulation. For each class of purchasers you must maintain all delivery terms, cash, trade and volume discounts, allowances, premiums and extras, deductions, guarantees, servicing terms and other terms and conditions of sale last in effect prior to the end of your base period. An explanation of what is meant by "class of purchaser" is found in section 45 (Definitions).

(d) Notwithstanding any of the foregoing provisions of this section, if you were in the process of revising your published list prices for use by resellers before June 24, 1950, primarily for the purpose of changing differentials in your discount structures, and if you actually issued and made effective these new published list prices and discounts on or before January 25, 1951, you may apply to the Director of Price Stabilization for approval of these list prices and discounts in accordance with the provisions of this paragraph, provided no substantial changes in the general level of your or your resellers' ceiling prices are effected thereby. Your application must be filed by registered mail with the Industrial Materials and Manufactured Goods Division, Office of Price Stabilization, Washington 25, D. C., and must contain the following information:

(1) Your business name and address.
 (2) A copy of your published list prices before and after revision and a copy of your published list prices showing any increases you have made in these list prices to reflect increases in your selling prices determined in accordance with the Ceiling Price Regulation 30 or any appropriate supplementary regulation thereto.

(3) A copy of your discount schedule if any, before and after revision.

(4) A statement by a responsible officer of your company that this provision was actually in process before June 24, 1950, and that the revised list prices and discount schedules were made effective on or before January 25, 1951.

You may not use the revised published list prices reported pursuant to this paragraph or certify to your resellers that these published list prices have been approved until the Director of Price Stabilization has approved your application in writing.

[Paragraph (d) added by Amendment 33; amended by Amdt. 41]

BASE PERIOD PRICES

SEC. 4. Base period. "Base period" refers to the period April 1, through June 24, 1950 or any previous calendar quarter ended not earlier than September 30, 1949, which you may elect to use. Whatever base period you elect must be used for all commodities in the same category. There is an exception in the case of a commodity for which you cannot establish a base period price under sections 7 or 9 during the base period you select. In that case, you may use for that commodity any other base period permitted under this section during which you can establish a base period price under the provisions of sections 7 or 9.

[Section 4 amended by Amdt. 34]

Sec. 5. Category. "Category" refers to a group of commodities which are normally classed together in your industry for purposes of production accounting or sales. This is the same definition as used in section 4 (c) of the General Ceiling Price Regulation. You may, however, exclude from any category any commodity or group of related commodities for which the base period you have elected to use for the category is unrepresentative because of special seasonal characteristics of that commodity or group of related commodities. In that case, treat the commodity or related group of commodities as constituting a separate category.

Sec. 6. How to obtain your base period price. Sections 7 and 9 tell you how to establish your base period price. Section 8 tells you how to obtain a ceiling price for a modified commodity. You must use the first of these sections which is applicable to the commodity being priced. You should note in particular that you may use section 9 only in the event that it is impossible for you to obtain a base period price under the provisions of section 7 or a ceiling price under section 8 of this regulation. The following provisions of this section must be applied to every base period price.

[Above paragraph amended by Amdt. 34]

(a) If your base period price includes any excise, sales, or other similar tax which is not separately stated, you must follow the instructions contained in section 34.

(b) If your base period price is expressed as a list price less discounts, you make the adjustments of the base period price under section 3 (a) upon the basis of the net price to your largest buying class of purchaser.

Example: Your base period "list" price for commodity A is \$12.00 less a 20 percent discount to your largest buying class of purchaser. The "labor cost adjustment" and the "materials cost adjustment" which you are permitted to add to your base period price total \$3.84. You first take 80 percent of \$12.00, thus applying the 20 percent discount. The resulting amount, \$9.60, plus \$3.84 equals \$13.44, your "net" ceiling price to your largest buying class of purchaser. You can figure your "list" ceiling price by dividing your "net" ceiling price (\$13.44) by the same percentage (80 percent), giving \$16.80. Applying the 20 percent discount to your largest buying class of purchaser gives you \$13.44, or your "net" ceiling price to that class of purchaser.

(c) If, during the base period, you customarily produced the same commodity from two or more manufacturing establishments of your business and sold it at different prices depending upon the place of production, you must obtain a separate base period price and determine a separate ceiling price for each such establishment.

Sec. 7. Base period prices for commodities offered or delivered during the base period. This section refers to prices which you established during the base period by delivering or offering to deliver to a buyer a commodity or an erection or installation service. For these commodities and services you establish your base period price by selecting the first

of the following prices which is available with respect to the commodity or service you are pricing:

(a) The highest published list price which you had in effect for your sale of the commodity or service during the base period, adjusted to reflect all applicable extra charges, discounts, or other allowances to your largest buying class of purchaser last in effect prior to the end of your base period.

(b) The highest price at which you either contracted to sell the commodity or service during your base period or made a written offer during your base period to sell the commodity or service. However, such a written offer may be used only if it was accepted in writing prior to October 1, 1950. This price must be adjusted to reflect all applicable extra charges and discounts or other allowances to your largest buying class of purchaser last in effect prior to the end of your base period.

(c) The highest price at which you delivered the commodity or service during your base period, adjusted to reflect all applicable extra charges and discounts or other allowances to your largest buying class of purchaser last in effect prior to the end of your base period.

Sec. 8. Ceiling prices for modified commodities—(a) Applicability. This section applies to a commodity (new and unused) for which you are able to find a base period price under section 7, or for which you have established a ceiling price under any other section of this regulation or any supplementary regulation to this regulation, but which you have substantially modified subsequent to the end of the base period, or subsequent to the establishment of a ceiling price under any other section of this regulation, or any supplementary regulation thereto. You are not obligated to recompute a ceiling price for any commodity modified before July 26, 1952, but, if you recompute a price for any commodity modified before that date you must recompute ceiling prices for all commodities modified on or after the date the commodity for which you did recompute was modified. If the modification constitutes only a minor change in design or construction which does not substantially affect unit manufacturing costs or materially alter the services given by the commodity, your ceiling price for the modified commodity shall be the same as your ceiling price for the commodity before modification.

(b) *Method for determining ceiling price.* The ceiling price for a modified commodity shall be computed in accordance with the following method:

(1) Using the costs as of the date of the modification in each calculation, figure the increases or decreases, attributable to the modification, of the following costs:

(i) Direct (factory) labor costs before and after modification of those portions which are modified, in each case using straight time labor rates in effect at your plant at the time of the modification.

(ii) In the same manner, the costs of materials, parts, subassemblies and components, not exceeding the applicable ceiling prices of your customary suppliers for your purchases in like quantities.

(iii) In the same manner, the costs of subcontracted services, not exceeding the applicable ceiling prices of your customary suppliers of subcontracted services, including the cost of transportation paid by you for shipment to you from your subcontractors, on the basis of rates in effect on the same date for your purchases in like quantities.

(iv) Royalty payments, if any, determined at the rates you pay on the date of the modification.

(v) Factory overhead, determined on the basis of the unit allocations in effect on the date of the modification.

(2) You then add or subtract the net increase or decrease in the cost calculated under the provisions of subparagraph (1) of this paragraph to or from your ceiling prices for the sale of the commodity before modification to your largest buying class of purchaser, then adjust the resulting price by applying thereto your customary class of purchaser differentials to determine your ceiling prices to those various classes of purchasers.

[Section 8 amended by Amdt. 34]

Sec. 9. Base period prices computed by formula. This section is applicable only to a commodity for which you cannot determine the base period price under section 7 or a ceiling price under section 8 of this regulation. You determine your base period price for such a commodity or service by using either the price determining method which you last had in effect during your base period, or if you had no price determining method in effect during your base period, by using a price determining method approved by the Director of Price Stabilization. You use this price determining method to determine a base period price for the commodity or service to your largest buying class of purchaser.

[Above paragraph amended by Amdt. 34]

(a) *Price determining method where you had one in effect during your base period.* You shall use the method of determining price by relation to cost that you last had in effect during your base period for determining the selling prices of commodities or services of the same or a similar type. This means that you must use the overhead rates, machine hour rates, if any, rates for general administrative and selling expenses, profit markup, discounts and allowances, and any other bases of computing price by relation to cost that were last in use in your plant, or in your field operations, during your base period and are applicable to the commodity or service being priced.

(b) *Price determining method where you had none in effect during your base period.* If you had no method of determining price by relation to cost in effect during your base period for commodities or services of the same or a similar type, you must file a proposed price determining method with the In-

dustrial Materials and Manufactured Goods Division, Office of Price Stabilization, Washington 25, D. C., before you deliver any commodity, or furnish any service, which is covered by this section. This price determining method must relate to labor and material costs, shop overhead rates, administrative and selling expenses, other cost factors, and profit margins, insofar as they are applicable, which you had in effect in your plant, or in your field operations, during your base period, for comparable commodities or services. As soon as you decide upon such a price determining method, you shall file a report by registered mail with the Industrial Materials and Manufactured Goods Division, Office of Price Stabilization, Washington 25, D. C.

(1) *Report.* This report shall set forth a detailed description of the proposed price determining method; a detailed explanation of all factors included in the proposed price determining method and the manner in which they were determined and are applied; and a representative sample of prices computed in accordance with the proposed price determining method, showing in detail how they were computed.

After receipt of this report, OPS may approve the proposed price determining method, require you to file a revised price determining method, or establish a different price determining method. If the OPS fails to act within thirty days after it receives the required report (or any verification of the facts stated in the report that may be requested), the proposed price determining methods shall be deemed to be approved. This 30-day waiting period shall include each day subsequent to the date of receipt of the required report by the Office of Price Stabilization (or any verification of the facts stated in the report that may be requested), regardless of the date on which the report (or any verification of the facts stated in the report that may be requested) was received by the Office of Price Stabilization. However, OPS may disapprove this price determining method at any time. Such disapproval will not be retroactive as to any deliveries made before the date of the disapproval. In the event that the OPS finds that your production experience does not yet warrant the establishment of a permanent price determining method, it may either establish, or give temporary approval to, a price determining method and require further filing under this paragraph at a later date.

[Subparagraph (1) amended by Amdt. 6]

(2) *Interim pricing.* Prior to receipt of approval by the OPS of the proposed price determining method, or prior to the expiration of the thirty day period after receipt by the OPS of the required report (or of any verification of the facts stated in the report that may be requested), you may quote or charge prices determined in accordance with the proposed price determining method. However, until a price determining method has been established under this paragraph (b) not more than 75 percent of this price may be paid or received.

(c) *Application of price determining method.* You must apply your base period price determining method, or the price determining method approved by the OPS, in accordance with paragraphs (d) to (j), inclusive, of this section 9.

(d) *Direct labor costs—(1) Method of determining base period direct labor costs.* You shall determine direct labor costs by multiplying the straight-time labor rate for each classification of labor last in effect during your base period (see subparagraph (2) of this paragraph) by the estimated number of clock hours of that classification of labor. This estimate of the number of clock hours shall be based on previous production experience. If, during your base period, you used an average rate to determine labor costs, you shall determine labor costs by using the method of computing the average, last in effect during your base period, and labor rates determined in accordance with subparagraph (2).

(2) *Labor rates.* The rates used in determining allowable direct labor costs shall be the rate in your plant, or in your field operations, for each classification of labor that was last prevailing during your base period. If you require the use of labor of a classification not employed by you in your plant or in your field operation during your base period, you shall use as the rate for that classification of labor, the rate last prevailing during your base period in the locality in which the manufacturing, or erection or installation, is to be performed. If labor of that classification was not employed in that locality during your base period, you shall use the rate last prevailing during your base period in the most comparable locality, as accurately as you are able to determine that rate by the use of reasonable diligence.

(3) *Overtime and shift premium.* In calculating a base period price computed by formula, generally you are required to use as elements of the formula only straight-time labor rates. After you have calculated a base period price in this way, you may add an amount for overtime or shift premium, if that will be required to produce the commodity. You may not add overtime or shift premium, however, where the commodity is one which will be sold by you pursuant to a published list price or will be sold by you to a person who will resell the commodity without substantially altering its form.

The amount to be added for overtime or shift premium shall be determined by multiplying the estimated number of overtime or shift premium hours, which you expect will be required to produce the commodity, by the overtime or shift premium rate in your plant, or in your field operations, for each classification of labor that was last prevailing during your base period. If you require the use of labor of a classification not employed by you in your plant, or in your field operations, during your base period, you shall use as the rate for that classification of labor, the rate last prevailing during your base period in the locality in which the manufacturing, or erection or installation, is to be per-

formed. If labor of that classification was not employed in that locality during your base period, you shall use the rate last prevailing during your base period in the most comparable locality, as accurately as you are able to determine that rate by the use of reasonable diligence.

(e) *Material costs.* You shall determine the allowable cost of purchased raw materials, processed and fabricated materials, and parts or subassemblies as follows: Multiply the base period cost for each material, part or subassembly by the estimated quantity of that material, part or subassembly. This estimate of the quantity of the material, part or subassembly, which is to be used in the production, or installation or erection, of the commodity shall be based upon your previous production experience.

(f) *Subcontracted services.* If, during the base period, you processed a material or produced a part in your own plant, you may not use in your computations any cost for subcontracting of the processing of the material or the making of the part in excess of your base period cost of the processing of the material or the making of the part in your own plant. In all other cases, if you have materials processed or parts made by a subcontractor, you shall use your base period cost for such subcontracted services.

(g) *Expendable tools, etc.* To the extent that your base period price determining method includes, or is based upon, prices paid for expendable tools, dies, jigs, fixtures, moulds, patterns or work-holding devices, you must use your base period cost for such items in calculating your base period price.

(h) *Base period cost.* To determine the base period cost to you for materials, parts, subassemblies, subcontracted services, or expendable tools, dies, jigs, fixtures, moulds, patterns or work-holding devices, you use the first of the following prices available to you. In no event may the price you use be in excess of the ceiling price under the applicable ceiling price regulation. If you use subparagraphs (2), (3) or (4) of this paragraph, you must disregard any price based upon a departure from your normal buying practices. Such a departure would include quantities smaller than those you usually purchase or contract for, or use of a more distant or different class of supplier (other than the United States), or use of subcontracted services in an amount in excess of that used in your base period. For example, you must disregard any price based upon a change in your source of supply from a manufacturer to a reseller or warehouseman or from a domestic to a foreign source of supply. Likewise, you must disregard any price which is based upon a purchase of conversion steel, except as permitted in section 42. If you are unable to determine your base period cost in accordance with the methods set forth in subparagraphs (1) to (4), inclusive, you must apply the provisions of section 10.

(1) The exchange quotation for the nearest monthly contract as of the close

of business on the last date in your base period (or the nearest preceding date for which such a quotation is available) for any commodity traded regularly upon a commodity exchange operating under the jurisdiction of the Commodity Exchange Authority.

(2) The net price per unit of the material, part, subassembly, or expendable tool, die, jig, fixture, mould, pattern or work-holding device shown on the invoice for the last delivery of the particular commodity or service to you prior to the end of your base period. If, however, the delivery was received more than thirty days prior to the end of your base period or was pursuant to a contract bearing a firm price entered into more than sixty days prior to the end of your base period, you need not use this subparagraph (2). If within thirty days prior to the end of your base period, you received more than one delivery of the same commodity or service, you must use an average cost. You obtain this average cost by dividing the net amount you paid for all deliveries of the commodity or service during the thirty-day period preceding the end of your base period by the total number of units of the commodity or service delivered to you during that period.

(3) The net price per unit of the commodity or service stipulated in the written contract for the commodity or service last prior to the end of your base period, provided that it was entered into not more than sixty days prior thereto.

(4) The net price per unit of the commodity or service stipulated in the written offer for sale of the commodity or service to you made last prior to the end of your base period, provided that the offer was made within sixty days of the end of your base period and that you still have the written offer or obtain a copy of it from the offeror.

(i) *Transportation costs.* If you pay any transportation costs for inbound shipments, you may add these costs to the materials cost or cost of subcontracted services determined by you under (e) and (f). In determining these transportation costs you must use freight rates last in effect during your base period. If during your base period you had in effect a method of averaging transportation costs, you may continue to use that method of averaging transportation costs. The addition of transportation costs is, of course, subject to the limitations in paragraph (h) with respect to obtaining commodities or services from normal sources of supply.

(j) *Purchaser's allowance for scrap or waste.* Where your base period price determining method included an allowance to the purchaser for scrap or waste, generated during the manufacturing process, this allowance shall be determined as follows:

(1) If, during the base period, you determined the amount of this allowance by the current market price, you shall multiply the estimated quantity of scrap or waste by its last market price during your base period.

(2) If, during the base period, you determined the amount of this allowance by a percentage of the current market

price, you shall first multiply the last market price in effect for the scrap or waste during your base period by the percentage of the market price you were using during your base period, and then multiply the result by the estimated quantity of scrap or waste.

SEC. 10. *Computation of ceiling price where you are unable to determine your base period cost.* This section is applicable if you are unable to determine your base period cost of any material, part, subassembly, subcontracted service, or expendable tool, die, jig, fixture, mould, pattern or work-holding device, which you use in the production of a commodity for which you must obtain a base period price under section 9. This material, part, subassembly, subcontracted service, or expendable tool, die, jig, fixture, mould, pattern or work-holding device will be referred to in this section as the "item".

(a) You compute the base period price of the commodity in accordance with your base period price determining method or your price determining method approved by the Director, as the case may be, but you disregard the cost of the "item" in computing your base period price.

(b) Using the figure you derive under paragraph (a) as your base period price, you compute your ceiling price under section 3(a).

(c) You determine your current cost, not in excess of the applicable ceiling price, of the "item" you disregarded in the computation under paragraph (a) of this paragraph and add to this your mark-up over factory costs (total costs, less selling and general administrative expense) used in the price determining method you used in paragraph (a).

(d) You add the totals found under paragraphs (b) and (c). This is your ceiling price for the new commodity.

[Section 10 amended by Amdts. 4 and 34]

HOW TO CALCULATE THE LABOR COST ADJUSTMENT

SEC. 11. *General description of how to calculate the "labor cost adjustment."* Sections 12 and 13 tell how to calculate the "labor cost adjustment." The calculations under both sections are designed to yield an average percentage increase in your factory labor cost based upon net sales and factory payroll data for your last fiscal year ended not later than December 31, 1950. The percentage is referred to as your "labor cost adjustment factor." Under section 12, the net sales and factory payroll data are for your entire business and the labor cost adjustment factor will be applied uniformly to the base period prices for all of your commodities. Under section 13, the net sales and factory payroll data are for a unit of your business and the labor cost adjustment factor will be applied uniformly to the base period prices of all commodities produced in that unit. If the commodities produced in the several units of your business have experienced significantly different labor cost increases, it will probably be to your advantage to use section 13 so as to reflect these differences more appropriately.

SEC. 12. *How to calculate the "labor cost adjustment" upon the basis of your entire business.* To calculate the "labor cost adjustment" upon the basis of your entire business, you do the following:

(a) Find the dollar amount of your net sales, and of your factory payroll for your entire business for your last fiscal year ended not later than December 31, 1950. You may not include in factory payroll labor costs which are part of general and administrative expenses, sales and advertising expenses, distribution costs, purchasing costs, cost of major repairs or replacement of plant or equipment, cost of expansion of plant or equipment, or general research not directly applied to current production. You may include in factory payroll, however, such items as—direct labor, factory supervision, factory service labor (including ordinary maintenance of plant or equipment), factory stores labor (including materials control), factory quality control labor (including testing or inspection), painting, packaging, and crating labor, field erection and installation labor, and product engineering and development labor which is directly applied to current production or to current installation or erection.

(b) Divide the dollar amount of your factory payroll found under (a) by the dollar amount of your net sales found under (a). This will show what percentage your factory payroll is of your net sales. This percentage is referred to as your "labor cost ratio."

(c) Find the dollar amount of your factory payroll, as limited in paragraph (a) of this section, for your last payroll period ended not later than the end of your base period (if your base period is April 1 through June 24, 1950, you should use your last payroll period ended not later than June 30, 1950). The term "end of your base period" is explained in section 45 (*Definitions*) of this regulation. This payroll is referred to as "your base period payroll". Compute what the dollar amount of your base period payroll would have been upon the basis of your wage rates in effect on March 15, 1951. This is referred to as "your recomputed payroll". You may add to your recomputed payroll a dollar amount to reflect, for the labor covered by that payroll, any increase between the end of your base period and March 15, 1951, in the cost to you of insurance plans, pension contributions for current work, paid vacations and similar "fringe benefits". You may also add to your recomputed payroll a dollar amount to reflect, for the labor covered by that payroll, any increase between the end of your base period and March 15, 1951, in cost to you of required payments under the Federal Insurance Contributions Act, the Federal Unemployment Tax Act and any state or local unemployment compensation law. You may not include in your recomputation of your base period payroll any wage increase or "fringe benefit" granted or determined after March 15, 1951, even though such wage increase or "fringe benefit" is retroactive to March 15, 1951, or any prior date, and is pursuant to a contract in effect on March 15, 1951. You may make the cal-

culations called for by this paragraph in whatever appropriate way is best adapted to your accounting records and your basis of wage payments, e. g., hourly rates, piecework, or any other system of wage payments used by you.

[Paragraph (c) amended by Amdt. 4]

(d) Divide the dollar amount of the difference between your recomputed payroll and your base period payroll by your base period payroll. The resulting percentage is referred to as your "wage increase factor".

(e) Multiply your labor cost ratio derived under (b) by your wage increase factor derived under (d). The resulting percentage is referred to as your "labor cost adjustment factor".

(f) Multiply the base period price of the commodity being priced by your labor cost adjustment factor. The resulting amount is the "labor cost adjustment" to be added to the base period price in accordance with section 3 (a).

(g) If you use this section, it must be used for all of your commodities.

Example:

(1) Your fiscal year is the calendar year. Your net sales for the twelve months ended December 31, 1950, were \$1,000,000. Your factory payroll for the year was \$300,000 (the required exclusions having been made in arriving at this figure).

(2) \$300,000 divided by \$1,000,000 is 30 percent. This is your "labor cost ratio".

(3) Your factory payroll for the week ended June 24, 1950, was \$6,000 (the required exclusions having been made in arriving at this figure). At wage rates in effect March 15, 1951, the payroll would have been \$6,500. In addition, you have also granted longer paid vacations and a more liberal insurance plan which amounts to the equivalent of two and one-half cents per hour. The number of hours covered by your base period payroll was 4,000. Consequently the increased "fringe benefits" add an extra \$100 per week to your factory labor cost for the March 15, 1951, period. This makes your recomputed payroll at March 15, 1951, wage rates \$6,600, or a total increase of \$600.

(4) \$600 divided by \$6,000 is 10 percent. This is your "wage increase factor".

(5) 30 percent multiplied by 10 percent is 3 percent. This is your "labor cost adjustment factor".

(6) If your base period price was \$100, you multiply \$100 by 3 percent, giving \$3, the "labor cost adjustment".

SEC. 13. How to calculate the "labor cost adjustment" upon the basis of a unit of your business. To calculate the "labor cost adjustment" upon the basis of a unit of your business, you do the following:

(a) Find the dollar amount of your net sales, and of your factory payroll for your last fiscal year ended not later than December 31, 1950, relating to a unit of your business for which you regularly maintain separate accounts and in which the commodity being priced is produced. You must include in net sales the value, as shown on your records, of any transfer of a commodity or material from that unit to another unit of your business. If your records do not show a value you may not use this section. The provisions of section 12 (a) as to what may be included in factory payroll apply.

(b) Using the data found under (a) you make the calculations prescribed in paragraphs (b), (c), (d), (e) and (f) of section 12, for the unit of your business to which the data relate. This will give you the "labor cost adjustment" to be added to the base period price in accordance with section 3 (a).

(c) This section may be used only for commodities produced in the particular unit of your business to which the net sales and factory payroll data relate, and must be used for all commodities produced in that unit.

HOW TO CALCULATE THE MATERIALS COST ADJUSTMENT

SEC. 14. Manufacturing material. You will need to become familiar with the term "manufacturing material" in the following sections. The term "manufacturing material" does not include materials or subcontracted industrial services used in replacing, maintaining or expanding your plant or equipment, or other materials or supplies, the use of which is not directly dependent upon the rate at which you manufacture the commodity being priced or install or erect the commodity. It refers to a material entering directly into the commodity being priced or used directly in the manufacturing processes from which the commodity results, or used directly in the installation or erection of the commodity, together with packaging materials, containers (other than returnable containers), purchased fuel, steam or electric energy, and subcontracted industrial services which are directly related to the manufacture of the commodity, or which are directly related to the installation or erection of the commodity. It also includes the following tools, supplies and materials if they are expended directly in the production of the commodity being priced or in the installation or erection of the commodity:

Binders (such as oil, pitch, paste, etc.).
Chalk.
Core sand and core oil.
Cutting oils and compounds used in processing departments.
Cutting tools (such as drills, saws, reamers and grinding wheels).
Deoxidizing agents (such as aluminum, copper chromium, beryllium, phosphorus, etc.).
Facings (such as graphite, soap stone, sea-coal, etc.).
Flux.
Laboratory supplies or photographic supplies used for quality control purposes.
Molders sand.
Polishing compounds.
Slushing oil.
Timber.
Welding rods and supplies.

It also includes the following commodities only if they are permitted to be included as expense items for Federal tax purposes:

Core boxes.
Dies.
Foundry flasks.
Jigs or fixtures.
Patterns.
Plate shop and sheet metal holders.
Templates.

SEC. 15. General description of the methods available. (a) There are four alternative methods available to you for

calculating the "materials cost adjustment". You should use the one best suited to your particular situation. Only manufacturing materials may be taken into account in your calculations and you will measure their change in cost to you between prescribed dates. You are permitted, however, to omit any manufacturing material which is not significant or whose cost has not decreased between the prescribed dates. This section only contains general descriptions, as an aid to understanding. The exact provisions which are in the following sections are controlling.

(1) **Method 1.** Method 1 allows you to measure the increase in your manufacturing materials costs upon the basis of a unit of your business not larger than a plant, or, if you have only one plant, upon the basis of your entire business. Under this method, which is set forth in section 17, you calculate a percentage increase in your manufacturing materials costs upon the basis of net sales and materials put into production during a yearly accounting period. If you make the calculations upon the basis of your entire business, you apply the percentage increase uniformly to all of your commodities. If the calculations are upon the basis of separate units of your business, you apply the percentage increase for each unit uniformly to all of the commodities produced in that unit. There are specific limitations upon the use of this method where you have had significant substitution of materials.

(2) **Method 2.** Method 2 is for an individual commodity and is based upon the increase in your unit manufacturing materials cost for that commodity. Under this method the "materials cost adjustment" will ordinarily differ for each commodity. You should probably use this method, therefore, if the various commodities you produce have had substantially different material cost increases since the end of your base period, or very widely from each other in the ratio between unit manufacturing materials cost and sales price. This method, however, is more burdensome because it requires a separate calculation for each commodity.

(3) **Method 3.** Method 3 is for a product line and is based upon the increase in your unit manufacturing materials cost for the best selling commodity in the product line. A percentage figure for this increase is derived which is applied to the base period price of each commodity in the product line. This method may be more appropriate than Method 2 if you have a number of closely related commodities whose material cost increases have been about the same.

(4) **Method 4.** Method 4 may also be used for a product line, or it may be used for a category. It is based upon the increase in the cost of the bill of materials used in producing the goods sold during an accounting period of three months or less. Like Methods 1 and 3 it yields a uniform materials cost adjustment factor for all commodities in the product line or category. If your records are in a form which permits you to use this method, you may find it simpler to apply than Method 1.

(b) You may select whichever one of the four methods you consider best suited to the nature of your business and most adaptable to the records you maintain. If you select the first, third or fourth method, you must use it for each commodity in the particular unit of your business (or for all of your commodities if your calculations are based upon your entire business), product line or category involved.

Sec. 16. Omission of certain manufacturing materials from your calculations. Under any of the four alternative methods which you use for calculating the "materials cost adjustment" you may omit from your calculations any manufacturing material which is not significant or whose cost to you has not decreased between the prescribed dates. Consequently, a reference to "each manufacturing material" under any of the four methods means each such material you are including in your calculations.

Sec. 17. Method 1 (Aggregate method). To calculate the "material cost adjustment" under this method, you do the following:

(a) Find the dollar amount of your net sales for your last fiscal year ended not later than December 31, 1950, for your entire business, or for a unit of your business for which you regularly maintain accounts and in which the commodity being priced is produced. You may not, however, use your entire business for this calculation if you operate more than one plant. Nor may you use a unit of your business which includes the output of more than one plant, although you may use a unit less inclusive than a plant. If you use a unit of your business, you must include in net sales the value of any commodity or material transferred from that unit to another unit of your business. The value shall be that shown in your records. If your records do not show a value, you may not use that unit of your business for making your calculations.

(b) Multiply the physical amount of each manufacturing material which you used during the same fiscal year, either in your entire business or a unit of your business, whichever you are calculating on, by the dollars-and-cents amount of the change in net cost per unit of the material to you between the end of your base period and December 31, 1950. The term "end of your base period" is explained in section 45 (Definitions). For any material listed in Appendix B you may figure the change to March 15, 1951. For any material listed in Appendix D you may figure the change to August 1, 1951. Before starting to figure the change in net cost per unit of the material, you should read carefully the instructions contained in sections 21 through 26.

[Paragraph (b) amended by Amdt. 10]

(c) Add together the resulting figures derived under (b) which represent increases in net cost. Do the same with the resulting figures which represent decreases in net cost. Subtract the total of the decreases from the total of the increases.

(d) Divide the final figure derived under (c) by the amount of your net sales found under (a). The resulting percentage is referred to as your "materials cost adjustment factor".

(e) Multiply the base period price of the commodity being priced by your materials cost adjustment factor. This will give the "materials cost adjustment" to be added to the base period price in accordance with section 3 (a).

(f) If you use this section and your calculations are based upon your entire business, the materials cost adjustment factor which you derive must be used for all of your commodities. If your calculations are based upon a particular unit of your business, the materials cost adjustment factor which you derive must be used for all commodities produced in that unit and may not be used for commodities produced in any other unit of your business.

(g) You may not use this section if you have replaced, in any significant degree, the materials used by you during the base period with lower-priced substitute materials. (For example, if you are a manufacturer of automotive parts and you are now using a significantly large percentage of steel to replace the copper and brass you used during your base period, you may not use this method.)

Sec. 18. Method 2 (individual commodity method). To calculate the "materials cost adjustment" under this method, you do the following:

(a) Find the physical amount of each manufacturing material which you normally used in the base period per unit of the commodity being priced.

(b) Multiply this physical amount of each of these manufacturing materials by the change in its net cost per unit to you between (1) the last day of the base period you elected for the commodity being priced and (2) December 31, 1950. For any material listed in Appendix B you may figure the change to March 15, 1951. For any material listed in Appendix D you may figure the change to August 1, 1951. Before starting to figure the change in net cost, you should read carefully the instructions contained in sections 21 through 26.

[Paragraph (b) amended by Amdt. 10]

(c) Add together the resulting figures derived under (b) which represent increases in net cost. Do the same with the resulting figures which represent decreases in net cost. The difference between these totals is the "materials cost adjustment" to be added to the base period price in accordance with section 3 (a).

Example: The commodity you are pricing uses three different manufacturing materials. For each unit of the commodity, you require 5 pounds of material A, 10 pounds of material B, and 1 pound of material C. Before the end of your base period material A cost you \$1.00 per pound, material B \$2.00 per pound and material C \$0.50 per pound. Your net cost per unit of material A on your last invoice before December 31, 1950, was \$1.50 and for material B it was still \$2.00. Material C is listed in Appendix B; your last invoice prior to March 15, 1951, was \$1.00 per pound. Your increase for material A was,

therefore, 5 multiplied by 50 cents (the difference between \$1.50 and \$1.00) or \$2.50. Material B has not changed in price and may, therefore, be omitted. For material C, 1 pound multiplied by 50 cents equals 50 cents. In addition, the commodity was heat treated for you by an outside contractor at a cost of \$1.00 per unit before the end of your base period and the price for this service as of March 15, 1951, was \$1.25, a difference of 25 cents. Your materials cost increase for the commodity is, therefore, \$2.50 for material A, 50 cents for material C, and 25 cents for the heat treating service, or a total of \$3.25. This is the "materials cost adjustment".

Sec. 19. Method 3 (product line method using best selling commodity). This method is essentially the same as Method 2 except that the calculations are made for the best selling commodity in a product line. To calculate the "materials cost adjustment" under this method, you do the following:

(a) Select the best selling commodity in the product line of which the commodity being priced is a part.

(1) "Product line" refers to a group of closely related commodities which differ in such respects as model, size or brand name and which are normally classed together as a product line in your industry. Generally speaking, each commodity in the same product line must serve the same purpose and must be made by the same manufacturing process from substantially the same materials. A product line may never be broader than a category and usually will be narrower. The relationship between the commodities will normally be substantially closer in a product line than in a category. For example, milling machines, lathes and screw machines are separate product lines, but a single category of machine tools.

(2) The "best selling commodity" refers to the commodity in a product line which accounted for the greatest dollar volume of sales in the product line in your base period.

(b) Using the best selling commodity, make the calculations prescribed in section 18. This will give the "materials cost adjustment" for the best selling commodity, i. e., the amount to be added to its base period price.

(c) Divide the "materials cost adjustment" by the base period price of the best selling commodity. The resulting percentage is referred to as your "materials cost adjustment factor".

(d) Apply your materials cost adjustment factor to the base period price of each commodity in the product line. The resulting figure for each commodity is the "materials cost adjustment" to be added to the base period price of that commodity in accordance with section 3 (a).

(e) If you use this section it must be used for each commodity in the product line for which you have made your calculations.

Example: You have three commodities in a product line, whose base period prices were \$8, \$10 and \$12, respectively. The best selling item was the \$10 commodity. The "materials cost adjustment" for that commodity calculated under section 18 was \$2, or 20%. The "materials cost adjustment" for the \$8 commodity is, therefore, 20% of \$8,

or \$1.60, and for the \$12 commodity, 20% of \$12, or \$2.40.

SEC. 20. Method 4 (composite bill of materials method). Under this method you make your calculations for the increase in your manufacturing materials cost for a product line or a category. To calculate the "materials cost adjustment" under this method, you do the following:

(a) Find the total net sales of all commodities in the product line or category for your last complete accounting period of three months or less ended not later than the last day of your base period (or if your base period is April 1 through June 24, 1950, ended not later than June 30, 1950). You must include in net sales the value, as shown in your records, of any transfer of a commodity in that product line or category to another unit of your business. If your records do not show a value, you may not use this section for that product line or category.

(b) Find the total physical amount of each manufacturing material used in producing the commodities in that product line or category sold in that accounting period. (Note that, in contrast to Method 1, you find here the physical bill of materials used in producing the goods sold in a short accounting period; while, under Method 1, you find the aggregate quantities of materials used, i. e., put into the production process, in an annual accounting period.)

(c) Multiply this total physical amount by the dollar-and-cents change, between (1) the end of your base period, and (2) December 31, 1950, in net cost to you per unit of the material used. For any material listed in Appendix B you may figure the change to March 15, 1951. For any material listed in Appendix D you may figure the change to August 1, 1951. Add together the resulting figures which represent increases in net cost. Do the same with the resulting figures which represent decreases in net cost. The difference between these totals is your increase in manufacturing materials cost. Before starting to figure the change in net cost you should read carefully the instructions contained in sections 21 through 26.

[Paragraph (c) amended by Amdt. 10]

(d) Divide your increase in manufacturing materials cost derived under (c) by the amount of your net sales found under (a). This percentage is referred to as your "materials cost adjustment factor."

(e) Apply your materials cost adjustment factor derived under (d) to the base period price of the commodity being priced. The resulting figure is the "materials cost adjustment" to be added to the base period price in accordance with section 3 (a).

(f) You may use this section only if you use it for each commodity included in the product line or category.

SEC. 20A. Option to propose a method. If you have not filed Public Form No. 8 showing computations made in accordance with the provisions of this regulation by September 1, 1951 and believe that none of the four alternative meth-

ods available to you for calculating the "material cost adjustment" can practically be used by you, you may propose a substitute method in the manner specified in the following paragraph of this section. It is the opinion of the Director of Price Stabilization that the four methods offered provide adequate alternatives for all business, and a substitute plan will be considered only in exceptional cases of multi-product manufacturers whose established accounting practices and system of materials control and distribution are of such a nature as to make the use of any of the four alternative methods extremely difficult. This must be affirmatively shown in the application. Your proposed method must follow the same general techniques, definitions and limitations as the four alternative methods already provided and must achieve the same basic results.

You should submit your proposed method in writing to the Industrial Materials and Manufactured Goods Division, Washington 25, D. C., stating the reasons why you believe it appropriate and necessary, and why none of the four alternative methods can practically be used by you, and setting forth in detail the steps to be taken under your proposed method. You may, if you prefer, submit your proposed method without actually calculating your ceiling prices under it, but you must show why the proposed method will reach the same basic results as any of the four alternative methods. Unless and until the Director of Price Stabilization approves your proposal in writing you may not use it.

[Sec. 20a added by Amdt. 14]

SPECIAL INSTRUCTIONS TO BE FOLLOWED IN CALCULATING THE MATERIALS COST ADJUSTMENT

SEC. 21. General nature of these instructions. Section 22 will apply to your calculations irrespective of which of the four alternative methods you use. Sections 22a through 26 may be applicable to you depending upon whether you are covered by certain described situations which are briefly indicated by the section headings and opening sentence of the section.

[Sec. 21 amended by Amdt. 17]

SEC. 22. How to compute the net cost to you of a manufacturing material as of a prescribed date. Under any of the four alternative methods you may use for calculating the "materials cost adjustment", you must figure the change, between prescribed dates, in the net cost to you per unit of each manufacturing material included in your calculations. (The earlier "prescribed date" is June 24, 1950, or another date depending on the base period you elected. The later "prescribed date" is December 31, 1950, March 15, 1951, or August 1, 1951, whichever date is applicable. To determine the net cost to you per unit of a manufacturing material as of a prescribed date, you use the first of the following prices available to you. In no event may the price you use be in excess of the ceiling price under a ceiling price regulation in effect on the date of the issuance

of this regulation. If you use paragraphs (b), (c), (d), (e), (f), or (g) of this section, you must disregard any price based upon a departure from your normal buying practices. Such a departure would include quantities smaller than those you usually purchase or contract for, or use of a more distant or different class of supplier (other than the United States) or use of subcontracted industrial services in an amount in excess of that used in your base period. For example, you must disregard any price based upon a change in your source of supply from a manufacturer to a reseller or warehouseman or from a domestic to a foreign source of supply. Likewise, you must disregard any price which is based upon a purchase of conversion steel, except as permitted in section 42 of this regulation.

[Paragraph above amended by Amdts. 4 and 10]

(a) The exchange quotation for the nearest monthly contract as of the close of business on the prescribed date (or the nearest preceding date for which such a quotation is available) for any commodity traded regularly upon a commodity exchange operating under the jurisdiction of the Commodity Exchange Authority and you must use the quotation for both of the prescribed dates. Also, you must use the same commodity exchange for both of the prescribed dates. If the commodity is one which is not itself quoted on such an exchange but another grade of that commodity is so quoted, you may use the exchange quotation for such other grade provided you do so for both of the prescribed dates.

(b) The net price per unit of the material shown on the invoice for the last delivery of the material to you prior to the prescribed date. If, however, the delivery was received more than 30 days prior to the prescribed date or was pursuant to a contract bearing a firm price entered into more than 60 days prior to the prescribed date, you may not use this paragraph. If, within 30 days prior to each of the applicable prescribed dates, you received more than one delivery of the same manufacturing material, you must use an average price for each such date. You obtain this average price by dividing the net amount you paid for all deliveries of the material during each of the 30-day periods by the total number of units of the material delivered to you during each period. In obtaining this average price you should not include any delivery made pursuant to a contract bearing a firm price entered into more than 60 days prior to the prescribed date. The average price for each period is the price you use for each of the respective prescribed dates. The term "30 days" as used in this paragraph means either a period of 30 consecutive days or an accounting month customarily used by you, provided that it is the last accounting month terminating not later than the applicable prescribed date. Where the applicable prescribed date is June 24, 1950, you may use an accounting month terminating not later than June 30, 1950.

[Paragraph (b) amended by Amdt. 4]

(c) The net price per unit of the material stipulated in the written contract for the material which you entered into last prior to the prescribed date, provided that it was entered into not more than 60 days prior thereto.

(d) The net price per unit of the material stipulated in the written offer for sale of the material to you made last prior to the prescribed date provided that the offer was made within 60 days prior to the prescribed date and that you still have the written offer or obtain a copy of it from the offeror.

(e) The net price per unit of the material shown on the invoice for the last delivery of the material to you prior to the prescribed date. You may elect not to use this pricing method if you believe that the material cost change determined under this paragraph does not reflect the appropriate change in your cost of any material.

[Paragraph (e) added by Amdt. 4]

(f) The net price per unit of the material stipulated in the written contract for the material which you entered into last prior to the prescribed date. You may choose not to use this pricing method if you believe that the material cost change determined under this paragraph does not reflect an appropriate change in your cost of any material.

[Paragraph (f) added by Amdt. 4]

(g) The net price per unit of the material stipulated in the written offer for the sale of the material to you made last prior to the prescribed date, provided that you still have the written offer or obtain a copy of it from the offeror. You may choose not to use this pricing method if you believe that the material cost change determined under this paragraph does not reflect an appropriate change in your cost of any material.

[Paragraph (g) added by Amdt. 4]

(h) If none of the foregoing is available to you for one or both of the applicable prescribed dates, you may apply to the Industrial Materials and Manufactured Goods Division, Office of Price Stabilization, Washington 25, D. C., for an appropriate increase in the cost of the manufacturing material for use in your calculations. If you make such an application, you must refer specifically to this paragraph; you must describe the commodity being priced and the manufacturing material; you must propose the amount of increase per unit of the manufacturing material you consider appropriate based upon what you would have paid for the material if you had purchased it on each of the applicable prescribed dates, you must set forth in detail supporting reasons and why this paragraph is applicable; and you must state the base period price of the commodity and the ceiling price you propose. You must file this application before using the increase you propose. Although you need not await a reply from the Director of Price Stabilization before using the increase you propose, he may at any time disapprove the increase you propose, stipulate the amount of increase which he will approve or request additional information.

No. 6—3

[Paragraph (h) redesignated by Amdt. 4]

SEC. 22a. *Permissive computation of your materials cost adjustment on the basis of 75 percent of manufacturing materials.* If you have not already filed Public Form No. 8 showing computations made in accordance with the provisions of this regulation, you may elect to calculate your materials cost adjustment in the manner set forth in this section.

(a) *Aggregate method (section 17).* You shall compute your materials cost adjustment in the same manner as that set forth in section 17, except that you shall compute the dollars and cents change in net cost to you of the materials used as follows:

(1) Determine those manufacturing materials (as defined in section 14), which accounted for at least 75 percent of the total dollar value of all manufacturing materials which you used, during your last fiscal year ended not later than December 31, 1950, in the unit of your business for which you are making the calculation. However, you must include each manufacturing material which accounted for 3 percent or more of the total dollar value of all manufacturing materials which you used, during your last fiscal year ended not later than December 31, 1950, in the unit of your business for which you are making the calculation.

(2) Determine the total physical amount which you used during your last fiscal year ended not later than December 31, 1950, in the part of your business for which you are making the calculations, of each manufacturing material, which is in the group selected by you under subparagraph (1) of this paragraph. Multiply this physical amount of each of these materials by the dollars and cents change in net cost per unit of the material to you between the end of your base period and December 31, 1950. For any material listed in Appendix B you may figure the change to March 15, 1951. For any material listed in Appendix D you may figure the change to August 1, 1951.

(3) Add together the resulting figures derived under subparagraph (2) of this paragraph which represent increases in net cost. Do the same with the resulting figures which represent decreases in net cost. Subtract the total of the decreases from the total of the increases.

(4) Determine the cost for all manufacturing materials which you used during your last fiscal year ended not later than December 31, 1950, in the unit of your business for which you are making the calculation.

(5) Divide the amount determined under subparagraph (4) by your cost of the manufacturing materials selected in subparagraph (1) of this paragraph which you used during your last fiscal year ended not later than December 31, 1950, in the unit of your business for which you are making the calculation.

(6) Multiply the amount determined under subparagraph (3) by the percentage determined under subparagraph (5) of this paragraph. The result is your increase in cost for all manufacturing materials, which you may use in calculating your materials cost adjustment

under the aggregate method (section 17).

(b) *Individual commodity method (section 18).* You shall compute your materials cost adjustment as follows:

(1) Determine those manufacturing materials (as defined in section 14) which account for at least 75 percent of the total dollar value of all manufacturing materials which you normally used in your base period per unit of the commodity being priced. However, you must include each manufacturing material which accounts for 3 percent or more of the total dollar value of all manufacturing materials which you normally used in your base period per unit of the commodity being priced.

(2) Find the physical amount of each manufacturing material (in the group of materials you selected in subparagraph (1) of this paragraph) which you normally used in your base period per unit of the commodity being priced.

(3) Multiply this physical amount of each of these manufacturing materials by the change in the net cost per unit to you between the end of your base period and December 31, 1950. For any material listed in Appendix B you may figure the change to March 15, 1951. For any material listed in Appendix D you may figure the change to August 1, 1951.

(4) Add together the resulting figures derived under subparagraph (3) of this paragraph which represent increases in net cost. Do the same with the resulting figures which represent decreases in net cost. Subtract the total of the decreases from the total of the increases.

(5) Determine the cost to you, as of the end of your base period, of all manufacturing materials which you normally used in your base period per unit of the commodity being priced.

(6) Divide the amount determined under subparagraph (5) by the cost to you, as of the end of your base period, of the materials selected in subparagraph (1) of this paragraph.

(7) Multiply the figure derived in subparagraph (4) by the percentage derived in subparagraph (6) of this paragraph. The result is your "materials cost adjustment" to be added to your base period price.

(c) *Product line method using best selling commodity (section 19).* You shall compute your materials cost adjustment in the same manner as that set forth in section 19, except that you shall determine your materials cost adjustment for the best selling commodity in the product line in the manner set forth in paragraph (b) of this section.

(d) *Composite bill of materials method (section 20).* You shall compute your materials cost adjustment in the same manner as that set forth in section 20, except that you shall compute the dollars and cents change in net cost to you of the materials used as follows:

(1) Determine those manufacturing materials (as defined in section 14), which accounted for at least 75 percent of the total dollar value of all manufacturing materials which you used in producing the commodities in the product

line or category sold during your last complete accounting period of three months or less ended not later than the last day of your base period (or if your base period is April 1 through June 24, 1950, ended not later than June 30, 1950). However, you must include each manufacturing material which accounted for 3 percent or more of the total dollar value of all manufacturing materials which you used in producing the commodities in the product line or category sold during your last complete accounting period of three months or less ended not later than the last day of your base period (or if your base period is April 1 through June 24, 1950, ended not later than June 30, 1950).

(2) Determine the total physical amount of each manufacturing material, which is in the group selected by you under subparagraph (1) of this paragraph, used in producing the commodities in that product line or category sold in that accounting period.

(3) Multiply this total physical amount by the dollars and cents change in net cost per unit of the material to you between the end of your base period and December 31, 1950. For any material listed in Appendix B you may figure the change to March 15, 1951. For any material listed in Appendix D you may figure the change to August 1, 1951.

(4) Add together the resulting figures derived under subparagraph (3) of this paragraph which represent increases in net cost. Do the same with the resulting figures which represent decreases in net cost. Subtract the total of the decreases from the total of the increases.

(5) Determine the total cost to you, as of the end of your base period of all manufacturing materials which you used in producing the commodities, in the product line or category, which you sold during the accounting period used in your calculations.

(6) Divide the amount derived under subparagraph (5) by the total cost to you, as of the end of your base period, of the materials in the group selected under subparagraph (1) of this paragraph which you used in producing the commodities, in the product line or category, which you sold during the accounting period used in your calculations.

(7) Multiply the amount derived under subparagraph (4) by the percentage derived under subparagraph (6) of this paragraph. The result is your increase in cost for all manufacturing materials which you may use in calculating your materials cost adjustment under the composite bill of materials method (section 20).

[Sec. 22a added by Amdt. 17]

SEC. 23. How to compute net cost as of the applicable prescribed dates where you are using a substitute material not used during the base period. In the case of a substitute material not used by you during the base period (or used in lesser quantities or proportions) in the manufacture of the commodity being priced, you must, if you are using Methods 2, 3 or 4 for calculating the "materials cost adjustment", compute the net cost to you as of the end of your base period of

the physical amounts of the materials normally used by you in your base period and the net cost to you as of December 31, 1950, March 15, 1951, or August 1, 1951, whichever date is applicable, of the physical amounts of the materials normally used by you on those prescribed dates. The physical amounts of those materials normally used by you in your base period and the applicable prescribed date must relate to the same quantity of production of the commodities being priced in the case of Method 4, to a unit of the commodity being priced in the case of Method 2, and to a unit of the best selling commodity in the case of Method 3. Since this calculation cannot be made accurately under Method 1 (section 17), you may not use that method for any unit of your business in which you, on the applicable prescribed date, were using significant quantities of a substitute material whose unit cost on that date was lower than the unit cost on that date of the material used by you during the base period. However, if the unit cost on the applicable prescribed date of the substitute material was the same or higher than the unit cost on that date of the material used by you during the base period, you may use Method 1 but without making any allowance for the higher cost of the substitute material.

[Sec. 23 amended by Amdts. 4, 10 and 34]

SEC. 24. Inclusion of transportation costs in the computation of net cost of a manufacturing material as of a prescribed date. If a quotation, invoice, contract or written offer which you use under section 22 did not include transportation costs for delivery of the material to you, you may add the actual amount of the transportation costs which you paid or would have paid for delivery of the material to you, provided that you include them in your determination of the net price of the material as of both dates.

SEC. 25. How to calculate the "materials cost adjustment" for joint products or by-products. This section will concern you only if you manufacture joint products or by-products. If two or more commodities result from the same manufacturing operation or from common materials and you are unable to compute the unit manufacturing materials costs for each under section 18, you calculate the "materials cost adjustment" for each as follows:

(a) Establish an appropriate combined unit of production in which are represented the several commodities in the proportions in which they result from the same manufacturing operation or from common materials.

(b) Find the dollar value of the combined unit of production using base period prices for each commodity, determined in accordance with sections 7, 8 or 9, as the case may be.

(c) Using the same calculations as in section 18 (substituting, of course, the combined unit of production for the unit referred to therein), compute the increase in manufacturing materials cost per combined unit of production.

(d) Divide the increase in manufacturing materials cost per combined unit of production by the dollar value of that unit as determined under (b) above.

(e) Apply this percentage to the base period price of each of the commodities being priced. The resulting figure for each commodity is the "materials cost adjustment" to be added to the base period price in accordance with section 3 (a).

SEC. 26. How to calculate the change in net cost of a manufacturing material which is produced in one unit of your business and transferred to another unit of your business. (a) You will be concerned with this section if you are a multi-unit organization and in your operations you transfer products for further processing or assembly between units of your business for which you regularly maintain separate records. By way of illustration, such transfers may be between departments, plants, branches or divisions. This section deals specifically with a manufacturing material which you produce in one unit of your business and transfer to another unit of your business where it is used in producing the commodity being priced. Such a manufacturing material (which is referred to as a "transferred material") may also be sold to another person. This section provides three methods for figuring the change in cost of a transferred material in your calculations of the "materials cost adjustment" for the commodity being priced. The method you use depends first on how you calculated the "labor cost adjustment" for the commodity being priced and second, on whether you also sell the transferred material to other persons.

(b) If you calculated the "labor cost adjustment" for the commodity being priced upon the basis of your entire business or of a unit of your business that included the unit in which the transferred material is produced, you may not in calculating the change in cost of that material include any increase in your factory labor cost. Your calculation of the change in cost of the transferred material will therefore only take into account changes in the costs of the manufacturing materials directly related to the transferred material. Such change in cost of the transferred material will be included in your calculation of the "materials cost adjustment" for the commodity being priced.

(c) If your calculation of the "labor cost adjustment" for the commodity being priced was not based upon your entire business or upon a unit of your business that included the unit in which the transferred material is produced and if the transferred material is one you sell to other persons, you calculate its change in cost as follows:

(1) Find its base period price (i. e. to your largest buying class of purchaser).

(2) Find its ceiling price under this regulation to your largest buying class of purchaser, or if it is not subject to this regulation, its ceiling price under the applicable ceiling price regulation.

[Subparagraph (2) amended by Amdt. 12]

(3) The difference between the figure found under (2) and that found under (1) is the increase or decrease in the cost of the transferred material which you use in calculating the "materials cost adjustment" for the commodity being priced.

(d) If your calculation of the "labor cost adjustment" for the commodity being priced was not based upon your entire business or upon a unit of your business that included the unit in which the transferred material is produced, and if that material is not one you sell to other persons, you calculate its change in cost as follows:

(1) Find the value as shown in your records at which the transferred material was transferred, last prior to the end of your base period (i. e., the base period for the commodity being priced), to the unit of your business in which the commodity being priced is produced.

(2) Using that transfer price as your base period price, determine what the ceiling price would be under this regulation or other applicable regulation.

(3) The difference between the figure found under (2) and that found under (1) is the increase or decrease in cost of the material to be used in calculating the "materials cost adjustment" for the commodity being priced.

Example: You are pricing a motor for which you produce the wire. The following paragraph illustrates the application of the three methods prescribed in section 26:

(a) You have treated the department in which the motor is produced and the department in which the wire is produced as a single unit in computing the "labor cost adjustment" for the motor. You purchase on the outside the copper and insulating materials used in producing the wire. The "materials cost adjustment" for the wire may include, as far as the wire is concerned, only the change in cost of the purchased copper and insulating materials.

(b) In calculating the "labor cost adjustment" for the motor you used only the department in which the motor is produced. You also sell the wire to others and calculated the "labor cost adjustment" for the wire upon the basis of the wire department. Therefore, in calculating the "materials cost adjustment" for the motor, the change in cost of the wire will be the difference between your ceiling price for the wire under this regulation to your largest buying class of purchaser, and your base period price for the wire to that class of purchaser.

(c) Assume the same facts as in (b) except that you produce the wire exclusively for your own use. You must compute what the ceiling price for the wire would be under this regulation, using the value at which the transfer between departments was made on your books last prior to the end of the base period. The difference between your computed ceiling price and your base period transfer value is the amount you use in calculating the "materials cost adjustment" for the motor.

(e) If you cannot calculate the change in cost of the transferred material under the preceding paragraphs of this section, or if the use of such paragraphs would not result in an appropriate change in cost, you may apply to the Industrial Materials and Manufactured Goods Division, Office of Price Stabilization, Washington 25, D. C., for an appropriate change in the cost of the transferred material for use in your calculations.

If you make such an application, you must refer specifically to this paragraph; you must describe the commodity being priced and the transferred material; you must propose the amount of increase per unit of the transferred material you consider appropriate; you must set forth in detail supporting reasons and why this paragraph is applicable. You must file this application before using the increase you propose. Although you need not await a reply from the Director of Price Stabilization, he may at any time disapprove the increase you propose, stipulate the amount of increase which he will approve or request additional information.

[Paragraph (e) added by Amdt. 12]

SPECIAL PROVISIONS RELATING TO CEILING PRICES

SEC. 27. General nature of these provisions. Sections 28 through 32 relate to adjustments of your ceiling prices under certain circumstances. Section 28 relates to rounding ceiling prices. Section 29 relates to retention of ceiling prices established under the General Ceiling Price Regulation where the change in price is less than 1 percent. Section 30 requires that you reduce your ceiling prices to reflect any increase in the value of scrap or waste material generated in your manufacturing processes. Section 31 permits you to adjust your ceiling prices quoted on a delivered basis for certain increases in transportation costs. Section 32 provides an optional method for adjusting your ceiling prices for commodities manufactured in more than one of your plants.

SEC. 28. Rounding ceiling prices. You may round your ceiling prices determined under this regulation so that they will be expressed in the nearest cents or fraction of a cent you normally employ. If you elect to do so you must similarly round the ceiling prices for all your commodities normally priced by you upon the same basis, to reflect decreases as well as increases. The increase in price due to rounding shall not be greater than 1 percent of your ceiling price prior to rounding, except in the following two instances. First, if you normally round your prices to the nearest cent or fraction of a cent, you may continue to do so, even though the increase exceeds 1 percent. Second, if you normally round to the nearest nickel the items on a price list from which you sell at established discounts, you may continue to do so even though the increase exceeds 1 percent. For example, if you normally quote to the nearest cent and your ceiling price for commodity A is \$2.160, you may round that ceiling price to \$.2200. However, if you round your ceiling price for commodity A and your ceiling price for commodity B is \$.2730 you must round its ceiling price to \$.2700. If you normally quote to the nearest nickel and your ceiling price for commodity A is \$1.68, you may round, that ceiling price to \$1.70. However, if you round your ceiling price for commodity A and your ceiling price for commodity B is \$1.47 you must round its ceiling price to \$1.45.

[Sec. 28 amended by Amdt. 18]

SEC. 29. Retention of GPCR ceiling price where the change in price is less than 1 percent. If your ceiling price for a commodity as determined under section 3 differs by less than 1 percent from that under the General Ceiling Price Regulation, you may continue to use your GPCR ceiling price. However, you may use this section only if you apply it to all your ceiling prices determined under section 3 differing by less than 1 percent from the GPCR ceiling prices, regardless of whether decreases or increases result. For example, your GPCR ceiling price for commodity A is \$10 and your ceiling price under section 3 is \$9.95. Your GPCR ceiling price for commodity B is \$8 and your ceiling price under section 3 is \$8.05. You may continue to use \$10 as your ceiling price for Commodity A, but if you do so you must continue to use \$8 as your ceiling price for commodity B.

SEC. 30. Requirement for reduction of your ceiling prices as otherwise determined for any increase in value of scrap or waste material. (a) You will be concerned with this section if in the manufacturing process relating to the commodity being priced you generate any scrap or waste material which you will sell to other persons or which is transferred from one unit of your business to another, and if, between the end of your base period and March 15, 1951, there has been an increase in the value of such scrap or waste material. However, you need not make the adjustment called for in this section unless your sales of scrap or waste material are significant. They will be considered significant if, for the plant or other unit of your business in which the commodity being priced is produced, the value of your sales or transfers of scrap or waste material exceeded 3 percent of the total value of your sales or transfers of all commodities, during your most recent fiscal year ended not later than December 31, 1950.

(b) In the circumstances described in paragraph (a) where your sales of scrap or waste material are significant you must make an appropriate reduction in the ceiling prices for each of the commodities resulting from your manufacturing process to reflect the dollars-and-cents amount by which the value of the scrap or waste material generated in the manufacturing process has increased between the end of your base period and March 15, 1951. In calculating this increase in value you should use a method comparable to the one you employed for your calculation of the "materials cost adjustment" for the commodity being priced. For instance, if you used Method 2 (section 18) you should calculate the increase in value of your scrap or waste material per unit of the commodity being priced; if you used Method 1 (section 17) you should calculate the increase in value of your scrap or waste material by an aggregate method. The resulting dollars-and-cents amount reflecting the increase in value of your scrap or waste material per unit must be subtracted from your ceiling price as otherwise determined under this regulation.

SEC. 31. Adjustment of ceiling prices quoted on a delivered basis for increases in transportation costs. If your base period price was, and therefore your ceiling price is, a delivered price, you may adjust your ceiling price to reflect any increase, between the end of your base period and March 15, 1951, in transportation costs incurred by you (not including warehousing charges). You may include in this adjustment only increases resulting from transportation charges paid by you to other persons (excluding any person who is an employee, subsidiary or affiliate of yours or of whom you are a subsidiary or affiliate). This adjustment is made in the following manner:

(a) Where your base period price for the commodity being priced included full transportation costs from point of shipment to point of delivery, you may adjust your ceiling price by the exact amount of the increase in transportation rates to you between such points, charged by the same carrier or class of carrier for the same class of transportation. You may not include any increase due to changing the class of carrier (e. g., from water or highway to rail) or to changing your customary method or quantity of shipment.

(b) Where your base period price was uniform within defined geographical zones but you maintained an established differential between each zone, you may calculate a transportation cost increase adjustment to be applied to the ceiling price for sales to each zone. This calculation is made in the following manner:

(1) Find the average transportation charge paid by you for deliveries of the commodity being priced to each zone during your last accounting period of not less than three months, ended not later than the end of your base period. If your base period is April 1 through June 24, 1950, you should use your last accounting period of not less than three months, ended not later than June 30, 1950.

(2) Find what the average transportation charge paid by you for deliveries of that commodity to each zone would be, using the transportation rates actually in effect on March 15, 1951.

(3) The dollars-and-cents amount of the difference between the average transportation charge found under (2) and that found under (1) for each zone may be added to your ceiling price for sales to that zone.

(c) Where your base period price was uniform for all sales of the commodity being priced to any destination within the United States, you may calculate a single transportation cost increase adjustment to be applied to the ceiling price for all sales within the United States in the same manner as under paragraph (b) of this section, treating the United States as a single zone.

Sec. 32. Optional method for determining a uniform ceiling price for a commodity manufactured in more than one plant. If the commodity being priced is manufactured in more than one of your plants and is customarily sold by you at a uniform price, but in adjusting

the base period price for each plant different ceiling prices result, you may compute a uniform ceiling price. To do this, you first determine the ceiling price for each plant and multiply it by the number of units of the commodity sold from that plant during the last quarter of 1950. You then divide the total dollar amount of such sales from all plants by the total number of units sold from all plants. The resulting figure is your uniform ceiling price for the commodity. If sales from any of your plants in the last quarter of 1950 were not substantial, you may use the last three consecutive months of substantial sales in 1950, provided that you use the same period for all of your plants.

Example: You are producing the same commodity in two plants, and customarily charge the same price from each. However, due to a difference in your wage rate changes, your ceiling price for plant A is \$2.00, and for plant B is \$2.10. Sales during the last quarter of 1950 were 1500 units from plant A and 1000 units from plant B. 1500 multiplied by \$2.00 is \$3000; 1000 multiplied by \$2.10 is \$2100; 1500 plus 1000 is 2500; \$3000 plus \$2100 is \$5100; \$5100 divided by 2500 is \$2.04. You may therefore use the uniform ceiling price of \$2.04 for sales from both plants.

MISCELLANEOUS PROVISIONS

SEC. 33. Export sales and sales for export. Ceiling Price Regulation 61, issued on July 30, and effective on August 6, 1951, supersedes Ceiling Price Regulation 30 for export sales and sales for export. Therefore, your ceiling prices for export sales and sales for export are determined under Ceiling Price Regulation 61.

[Section 33 amended by Amdt. 35]

SEC. 34. Excise, sales or similar taxes—(a) Where the tax is included in your selling price. (1) If your base period price for a commodity includes any excise, sales or similar tax which is not separately stated, you must first ascertain the amount of such tax and exclude it from your base period price. Your base period price, with such tax so excluded, may then be used in making any appropriate computations for determining your ceiling price. After completing the computations, you may then add on the appropriate amount of such tax for inclusion as part of your ceiling price. In the case of any reduction or elimination of such a tax subsequent to the end of your base period, you must reflect the appropriate amount of such reduction or elimination in your ceiling price. In the case of any increases in such a tax subsequent to the end of your base period, you may include the appropriate amount of such increase as part of your ceiling price. Likewise, in the case of any similar tax first imposed subsequent to the end of your base period, you may include the appropriate amount of such tax as part of your ceiling price.

(2) If subsequent to the establishment of any ceiling price which includes any excise, sales or similar tax, the amount of such tax is reduced or eliminated, you must recompute and reduce your ceiling price to reflect the appropriate amount of the reduction in or elimination of such tax.

(3) If, subsequent to the establishment of any ceiling price, any excise, sales or similar tax is first imposed or any such tax which had been included in your ceiling price is increased, you may recompute and increase your ceiling price to reflect the appropriate amount of such new tax or the increase in such tax. If you recompute your ceiling price you may, thereafter, use the ceiling price as recomputed for all sales made by you including your sales of a commodity bought by you from another manufacturer for resale under your own brand name whether or not an excise tax has been paid at the source.

(b) *Where the tax is separately stated and collected.* If it has been your practice to state and collect any excise, sales or similar tax separately from your selling price, you may, in addition to your ceiling price determined under this regulation for the same or similar commodities for which this has been your practice, collect the amount of any such tax paid as such by you. In the case of an increase in any excise, sales or similar tax or any new such tax which is not effective until after this regulation becomes effective as to you, you may, in addition to your ceiling price, if not prohibited by the tax law, state separately and collect the amount of such increase or new tax actually paid as such by you. A tax once stated separately from your ceiling price may not thereafter be included in your ceiling price under this regulation.

[Sec. 34 amended by Amdts. 19 and 22]

SEC. 35. Prohibition against redetermination of ceiling prices. Once you have reported your ceiling price or proposed ceiling price for a commodity, as required by this regulation, you may not thereafter redetermine a higher ceiling price, except for the following reasons and upon compliance with the conditions specified.

(a) Changes affecting the computation of ceiling prices resulting from amendment, supplement, revision or official interpretation of this regulation. In case of such a redetermination you must file an amended Public Form No. 8 and such redetermination may reflect only the factors covered by the amendment, supplement, revision or official interpretation.

(b) Extension of the effective date of this regulation pursuant to Amendment 3 of this regulation. In case of such a redetermination you must file an amended Public Form No. 8 by July 2, 1951.

(c) Where the base period price is used as the ceiling price without making the calculations of either of the adjustments (labor cost adjustment or materials cost adjustment) or where the ceiling price is the base period price plus only one of the adjustments. Such a redetermination shall be made by filing an amended Public Form No. 8 showing the omitted calculated adjustment or adjustments and it may reflect only the adjustment or adjustments not calculated in the filed unamended Public Form No. 8.

(d) Purely arithmetical errors may be corrected at any time, but the corrections

must be reported to the Director of Price Stabilization.

(e) The filing of an amended Form No. 8 under this section is subject to the provisions of section 46 of this regulation.

(f) Extension of the effective date of this regulation pursuant to Amendment 5 of this regulation. In case of such a redetermination, you must file an amended Public Form No. 8 by August 13, 1951.

(g) Any new excise, sales or similar tax or any increase in any such tax, in accordance with section 36 (a) of this regulation. You need not file any report of your redetermined ceiling price unless required to do so by the Director of Price Stabilization.

[Sec. 35 amended by Amdt. 4; paragraph (f) added by Amdt. 6; paragraph (g) added by Amdt. 19]

SEC. 36. Modification of ceiling prices by the Director of Price Stabilization. The Director of Price Stabilization may at any time disapprove or revise downward ceiling prices proposed to be used or being used under this regulation so as to bring them into line with the level of ceiling prices otherwise established by this regulation. Such downward revisions may, of course, be accompanied by upward revisions—as in a case where the Director of Price Stabilization requires an apportionment of the "materials cost increase" for a unit of your business to avoid any inequities resulting from the application of sections 17 or 20.

SEC. 37. Recalculation of ceiling prices and announcement of "materials cost increase factors". The Director of Price Stabilization expects in due course to issue an amendment to this regulation providing for a recalculation of your ceiling prices hereunder. The primary purpose of this recalculation would be to reflect more accurately the materials prices established by this and other ceiling price regulations. The Director of Price Stabilization may also from time to time announce "materials cost increase factors" for certain materials in order to provide greater uniformity in the calculation of their change in price since the end of your base period. These factors will be percentage figures based on studies of some categories of important basic materials and parts. If such a factor is announced, it must be used in place of any change you have had in the price of the material covered by the factor, regardless of whether the factor is higher or lower. These "materials cost increase factors" may be announced by amendments or by supplementary regulations to this regulation.

SEC. 38. Adjustable pricing. Nothing in this regulation shall be construed to prohibit your making a contract or offer to sell a commodity at (a) the ceiling price in effect at the time of delivery or (b) the lower of a fixed price or the ceiling price in effect at the time of delivery. You may not, however, deliver or agree to deliver a commodity at a price to be adjusted upward in accordance with any increase in a ceiling price after delivery.

SEC. 39. Petitions for amendment. If you wish to have this regulation amend-

ed, you may file a petition for amendment in accordance with the provisions of Price Procedural Regulation 1 (15 F. R. 9055).

SEC. 40. Supplementary regulations. The Director of Price Stabilization may issue supplementary regulations modifying or implementing this regulation as he deems appropriate.

SEC. 41. Disregarding separate corporate identity upon written approval of the Director of Price Stabilization. (a) You may upon filing the application required by paragraph (c) of this section obtain permission to disregard for the purposes of determining ceiling prices under this regulation and the supplementary regulations thereto, the separate legal identity of any corporation which is a subsidiary of your own and file a single report or set of reports pursuant to this regulation for the entire organization. If you use this section, you must apply it to all subsidiary corporations owned by you.

(b) A corporation is considered to be a subsidiary where 95 percent or more of its outstanding stock is owned by another corporation. The subsidiary must either manufacture commodities all of which are the same or similar to those manufactured by the parent, be a manufacturing subsidiary corporation of a non-manufacturing parent, act as sales agent or distributor for the product of the parent, or perform some operation related to the promotion, distribution, or sale except at retail of the parent's finished product, or the finished product of any other subsidiary of the parent.

(c) Your application must contain the following information:

(1) The names and addresses of all the corporations to be included in a single report, or set of reports, made pursuant to this regulation or any supplementary regulation thereto.

(2) A description of the business activities of each corporation, the relationship of each subsidiary to the parent and a statement that 95 percent of all the stock of each subsidiary corporation is owned by the parent corporation.

You may not act under this section until you receive written approval of your application by the Director of Price Stabilization. Upon receipt of your application, the Director may approve, disapprove, or request further information concerning your application. Upon receipt of approval of your application you may file a single report or set of reports pursuant to section 44 of this regulation and the reporting section of any supplementary regulation thereto for all the corporations covered by your application.

[Section 41 deleted by Amdt 25; added by Amdt. 37]

SEC. 42. Use of "conversion steel" in calculating the "materials cost adjustment". This section permits you to reflect in your "materials cost adjustment" increases in cost occasioned by your use of more "conversion steel" (see definition in section 45 (z)) than you used in your base period. If you elect to use this section, you must compute this increase in

cost in the manner set forth in paragraph (a) of this section. You must file the report required by paragraph (b) of this section before you make the adjustment permitted by this section and reflect it in your ceiling prices. You must also recompute this increase every three months as provided in paragraph (c) of this section. Your adjusted ceiling prices shall remain in effect until you make your next recomputation of the increase and are authorized or required to readjust your ceiling prices as provided by paragraph (c) of this section. The Director of Price Stabilization may disapprove, at any time, by order, your materials cost adjustment to the extent that it reflects an increase in your cost due to your increased use of conversion steel, if he determines that this increase is not based on lawful costs, is caused by your sale of steel, or has not been calculated properly under this section. This disapproval will not be retroactive as to any deliveries made before the date of issuance of the order of disapproval.

(a) *Computation of increased costs due to use of conversion steel.* You shall compute your increased costs due to the use of conversion steel as follows:

(1) Determine the tonnage of all steel (whether conversion steel or not) which you used during the period July 1, 1949 through June 30, 1950.

(2) Determine the tonnage of conversion steel which you used during the period July 1, 1949 through June 30, 1950 and for which you did not make an additional charge during this period.

(3) Divide the tonnage found under subparagraph (2) by the tonnage found under subparagraph (1) of this paragraph.

(4) Determine the dollar amount you paid for all "conversion steel" delivered to you during the period April 1 through June 30, 1950. You shall determine this amount by totalling the amount you paid for steel mill products which you have purchased for conversion to other steel mill products; the amount you paid for converting these steel mill products to other steel mill products; and the amount paid by you for transportation of these steel mill products to the place of conversion and to your plant after conversion.

(5) Divide the dollar amount you found under subparagraph (4) of this paragraph by the total tonnage of conversion steel delivered to you during the period April 1 through June 30, 1950.

(6) Multiply the dollar amount per ton found under subparagraph (5) by the ratio found under subparagraph (3) of this paragraph.

(7) Determine the tonnage of all steel, other than conversion steel, which you used during the period July 1, 1949 through June 30, 1950.

(8) Determine the tonnage of all conversion steel which you used during the period July 1, 1949 through June 30, 1950 and for which you made an additional charge during that period.

(9) Add the tonnages found under subparagraph (7) and subparagraph (8) of this paragraph.

(10) Divide the tonnage found under subparagraph (9) by the tonnage found

under subparagraph (1) of this paragraph.

(11) Determine your delivered cost per ton of steel, other than conversion steel, as of the end of your base period (see section 22).

(12) Multiply your cost per ton found under subparagraph (11) by the ratio found under subparagraph (10) of this paragraph.

(13) Add your costs per ton found under subparagraph (6) and subparagraph (12) of this paragraph. The result is your average cost per ton of all steel (whether conversion steel or not) as of the end of your base period.

(14) Determine the tonnage of all steel (whether conversion steel or not) which you used during the period July 1 through September 30, 1951. If you use this section for the first time after December 31, 1951, substitute for the quarter "July 1 through September 30, 1951", where it appears in this section, the calendar quarter most recently completed. A "calendar quarter" is any three month period beginning on the first day of January, April, July or October.

(15) Determine the tonnage of conversion steel which you used during the period July 1 through September 30, 1951.

(16) Divide the tonnage found under subparagraph (15) by the tonnage found under subparagraph (14) of this paragraph.

(17) Determine the dollar amount you paid for all "conversion steel" delivered to you during the period July 1 through September 30, 1951. You shall determine this amount by totaling the amount you paid for steel mill products which you have purchased for conversion to other steel mill products (not in excess of the applicable ceiling price); the amount you paid for converting these steel mill products to other steel mill products (not in excess of the applicable ceiling price); and the amount paid by you for transportation of these steel mill products to the place of conversion and to your plant after conversion. However, you may not use as your total cost of any conversion steel an amount in excess of 200% of the current mill price for the same steel. The term "current mill price" means the delivered price, in carload lots, which the steel mill producer, from whom you purchased the greatest tonnage of steel during the period July 1, 1949, through June 30, 1950, has in effect. If you did not purchase any steel mill products from any steel mill producer during this period, you shall use the delivered price, in carload lots, which the steel mill producer nearest to you has in effect.

(18) Divide the dollar amount you find under subparagraph (17) of this paragraph by the total tonnage of "conversion steel" delivered to you during the period July 1 through September 30, 1951.

(19) Multiply your cost per ton found under subparagraph (18) by the ratio found under subparagraph (16) of this paragraph.

(20) Determine the tonnage of all steel, other than conversion steel, which you used during the period July 1 through September 30, 1951.

(21) Divide the tonnage found under subparagraph (20) by the tonnage found under subparagraph (14) of this paragraph.

(22) Determine your delivered cost per ton of steel, other than conversion steel as of March 15, 1951 (see section 22).

(23) Multiply your cost per ton found under subparagraph (22) by the ratio found under subparagraph (21) of this paragraph.

(24) Add your costs per ton found under subparagraph (19) and subparagraph (23) of this paragraph.

(25) Subtract your average cost per ton of steel as of the end of your base period, found under subparagraph (13), from your average cost per ton of steel found under subparagraph (24) of this paragraph. The result is the dollars and cents change in net cost per ton of all steel which you may use in calculating your materials cost adjustment under the applicable provisions of this regulation.

(b) *Report.* Before you reflect the adjustment permitted by paragraph (a) of this section in your ceiling prices you must file a report, by registered mail, with the Industrial Materials and Manufactured Goods Division, Office of Price Stabilization, Washington 25, D. C. This report shall contain the following information (This report may be filed on a copy of Form OPS 92):

(1) A statement describing the nature of your manufacturing operations and, particularly, the commodities in which conversion steel is used.

(2) A detailed statement establishing separately the amount of all steel, other than conversion steel, all conversion steel for which you made an additional charge, and all conversion steel for which you did not make an additional charge, which you used during the period July 1, 1949 through June 30, 1950 and during the period July 1 through September 30, 1951.

(3) A statement showing the total tonnage received and total dollar amount you paid for each specification of steel (whether conversion steel or not) delivered to you during the periods April 1 through June 30, 1950 and July 1 through September 30, 1951. Also state the total tonnage and the total dollar amount you received for each specification of steel (whether conversion steel or not) which you sold during each of these periods.

(4) Your increase in cost of steel calculated in accordance with the provisions of this section.

(c) *Recomputation.* If you elect to use this section, you must recompute your increased costs, due to the use of conversion steel. This recomputation shall be made during the first calendar month of every calendar quarter following the first computation you make. The report required by paragraph (b) of this section shall be filed by not later than the last day of each of these months in which the recomputation is required. You shall make the recomputation in accordance with the method set forth in paragraph (a) of this section, except that you shall use your experience during the quarter-year period immediately

preceding the month in which the recomputation is required, instead of using your experience during the quarter-year period July 1 through September 30, 1951. If the recomputation results in a greater increase in your ceiling prices than that previously determined by you under this section, you may use this greater increase. If the recomputation results in a lesser increase in your ceiling prices than that previously determined by you under this section, you must use this lesser increase beginning not later than the first day of the calendar month immediately following the month during which the recomputation is required.

(d) *Adjustable pricing.* Where you have not computed the increase in your ceiling price permitted by this section, you may sell or deliver a commodity at a price which may be adjusted upwards in accordance with the provisions of this section. If you do so the price at which the commodity is sold or delivered must be determined in accordance with the applicable provisions of this regulation, except this section. Final settlement shall be made at a price not in excess of the ceiling price determined in accordance with the applicable provisions of this regulation, including this section. Also, your computation of the increase in price of the commodity permitted by this section must be made for the calendar quarter immediately preceding the calendar quarter in which you deliver the commodity.

[Sec. 42 amended by Amdts. 6, 15, and 29]

SEC. 43. *Temporary adjustments to carry out existing contracts.*—(a) *Who may apply for adjustment.* If at any time prior to the issuance date of this regulation, you entered into a bona fide contract for delivery of a commodity at a firm price subsequent to the effective date of this regulation, and if your ceiling price as determined under this regulation is lower than the contract price, you may apply to the Director of Price Stabilization for an adjustment of your ceiling price, provided:

(1) The contract for future delivery was required by seasonal demands or normal business practices.

(2) The contract, if entered into subsequent to January 26, 1951, called for deliveries at a price which was lawful under ceiling price regulations in effect at that time.

(3) You acquired needed raw materials or component parts after the date of the contract at lawful prices in reliance upon and in order to fulfill the terms of the contract.

(b) *Calculation of the amount of the adjustment.* The adjusted ceiling price will be fixed in the following way:

(1) Take the total price of the quantity of raw materials or component parts acquired in reliance upon, and necessary in order to fulfill, the contract.

(2) Compute what the total price of the same quantity of raw materials or component parts would be as of the later of the two applicable prescribed dates used for your calculation of the "materials cost adjustment". In computing what the total price would be, you will,

of course, apply the provisions of section 22.

(3) Subtract the figure arrived at in subparagraph (2) from the figure in subparagraph (1). The result is the total amount of the adjustment. If the figure arrived at in subparagraph (1) is no higher than that arrived at in subparagraph (2), you cannot apply for adjustment under this section.

(4) Divide the total amount of the adjustment by the number of units of the commodity called for by the contract. This gives you the adjustment per unit of the commodity. If the contract calls for the delivery of more than one commodity, the total amount of the adjustment may be distributed in any appropriate way among the several commodities.

(5) Add the adjustment per unit of the commodity under (4) to your ceiling price for that commodity. The result is your adjusted ceiling price. In no event, however, may you obtain an adjusted ceiling price higher than the contract price.

Example: You contracted in January, 1951, to supply a mail order house 1,000 units of a commodity at \$10.00 per unit, delivery to be made during the months of June, July, and August of 1951. Your ceiling price under this regulation is \$9.00. In order to comply with the terms of your contract, you purchased raw material sufficient to produce 600 units at a total cost of \$4,200. The cost of acquiring the same raw material as of December 31, 1950 (the later of the two applicable dates used in your calculation of the "materials cost adjustment") would be \$3500. The total adjustment is \$700 (\$4200 minus \$3500 equals \$700.) The total number of units called for in the contract was 1000. Divide \$700 by 1000. This gives you 70 cents. The adjustment per commodity becomes 70 cents and your adjusted ceiling price for the contract \$9.70. Subsequent sales to the contract purchaser and all sales to other purchasers must be at the regular ceiling price of \$9.00.

(c) *What your application must contain.* Applications for adjustment under this section must be filed on or before September 4, 1951, with the Industrial Materials and Manufactured Goods Division, Office of Price Stabilization, Washington 25, D. C. Attached to the application should be the following:

(1) A copy of the contract;

(2) Copies of invoices covering the raw materials or component parts acquired in reliance upon and in order to fulfill the contract;

(3) Copies of invoices or other supporting data which indicate your net cost as of the later of the two applicable dates you used in computing the "materials cost adjustment";

(4) A copy of the work sheets used in the calculation of your ceiling price.

(5) A report of your adjusted ceiling price and a detailed calculation showing how this price was determined.

[Paragraph (c) amended by Amdt. 6]

(d) *Action on your application.* You may not receive payment of any amount in excess of your ceiling price until 30 days after receipt by the Office of Price Stabilization of any application filed under this section. If the Director of Price Stabilization does not revise or

modify the adjusted ceiling price reported by you or notify you that further information is requested, you may after these 30 days have elapsed receive payment at the adjusted ceiling price for all deliveries made since the date of filing. The Director of Price Stabilization may, however, at any time revise or modify the adjusted ceiling price, but such revision or modification will not apply to deliveries already made.

Sec. 43a. Manufacturers who cannot price under any other provisions. This section is applicable to you if you cannot determine your ceiling price under any other provision of this regulation because you started in business after January 1, 1950 (unless you are subject to section 47—Transfers of business or stock in trade), or for any other reason. If your ceiling price must be determined under this section, your ceiling price shall be a price, in line with ceiling prices otherwise established by this regulation, that is authorized by the Director of Price Stabilization. If you have issued, or propose to issue a price list for a commodity covered by this section, or if you sell, or propose to sell such a commodity to resellers, you must seek such authorization for specific prices. Otherwise, you may seek such authorization either for specific prices or for a method of determining prices by relation to cost. If you seek approval of specific prices, you must file the report required by paragraph (a) of this section. If you seek approval of a method of determining prices by relation to costs, you must file the report required by paragraph (b) of this section. You must file the required report, by registered mail, with the Industrial Materials and Manufactured Goods Division, Office of Price Stabilization, Washington 25, D. C., before you sell, offer to sell or deliver a commodity or service covered by this section.

After receipt of this report, the Office of Price Stabilization may approve the proposed ceiling price or proposed price determining method, disapprove the proposed ceiling price or proposed price determining method, establish, by order, a different ceiling price or price determining method, or request further information. If, thirty days after receipt of the required report by the Office of Price Stabilization, none of the actions just listed has been taken, your proposed ceiling price or proposed price determining method shall be deemed to be approved.

The ceiling price or price determining method established in the manner just set forth shall be applicable to all subsequent sales and deliveries. However, if the Office of Price Stabilization determines that this price or price determining method is not in line with ceiling prices established by this regulation, it may disapprove that price or price determining method at any time. This disapproval will not be retroactive as to any deliveries made before the date of such disapproval.

(a) *Report where you are proposing a specific ceiling price.* Where you are proposing a specific ceiling price your report must contain the following in-

formation: (This information may be filed on a copy of Form OPS 90 which may be obtained from your nearest OPS Office.)

(1) The name and address of your company.

(2) A description of the commodity or commodities for which you seek a ceiling price. This description shall include the type of commodity; model and serial number, if any, and any other specifications commonly shown on price sheets for similar commodities.

(3) The category or categories in which the commodity or commodities fall, and the most comparable category or categories dealt in by you during the base period, if any.

(4) A statement of the reasons why you cannot price the commodity or commodities under any other provision of this regulation.

(5) A statement of your current unit costs for the commodity or commodities, stating separately direct labor costs, direct materials costs, factory overhead, selling expenses, administrative expenses, any other cost factors, and profit markup.

(6) A statement of your proposed prices to all classes of purchasers, and your proposed list prices, if any, together with applicable discounts and allowances to all classes of purchasers.

(7) The names, addresses, and types of businesses of your two most closely competitive sellers of the same class; a statement of their ceiling prices for the most comparable commodity and their differentials to each of their classes of purchasers; and your reasons for selecting them as your most closely competitive sellers.

(8) If you are starting a new business, you should include a statement as to whether you or the principal owner of your business are now, or during the past twelve months have been engaged, in any capacity, in the same or similar business at any other establishment. If so, you should state the trade name and address of each such establishment.

(b) *Report where you are proposing a price determining method.* Where you are proposing a price determining method, your report must contain the following information: (This report may be filed on a copy of OPS Form 91 which may be obtained from your nearest OPS Office.)

(1) The name and address of your company.

(2) A detailed description of your proposed price determining method, including all of the factors used and the manner in which they were determined and are to be applied.

(3) A statement of the period as of which you have determined the costs used in your proposed pricing method. For example: June 24, 1950 labor costs and June 24, 1950 material costs.

(4) The product lines or categories whose ceiling prices you propose to establish by the use of your proposed price determining method.

(5) A sample of prices computed in accordance with your proposed price determining method, showing in detail how they were computed.

(6) A statement of the reasons why you cannot determine your ceiling prices under any other provisions of this regulation.

(7) If you are starting a new business, you should include a statement as to whether you or the principal owner of your business are now, or during the past twelve months have been engaged, in any capacity, in the same or similar business at any other establishment. If so, you should state the trade name and address of each such establishment.

(c) *Interim pricing.* Prior to receipt of approval by the OPS of your proposed price or price determining method, or prior to the expiration of the thirty day period after receipt by the OPS of your application (or of any additional information that may have been requested), you may quote or charge the price proposed by you, or a price determined in accordance with your proposed price determining method. However, except as provided in paragraph (d) of this section, until a price or price determining method has been established under this section, not more than 75 percent of this price or a price determined in accordance with this method may be paid or received.

(d) *GCPR ceiling prices.* If you have established a ceiling price for a commodity or service covered by this section under the General Ceiling Price Regulation, you may, after making the report prescribed in paragraph (a) or (b) of this section, continue to use your ceiling price as so established until a ceiling price is established in accordance with the provisions of this section.

[Sec. 43a added by Amdt. 16]

SEC. 43b. *Use of previous ceiling prices after effective date of this regulation in certain cases.* If you have established a ceiling price under the GCPR for a commodity or service covered by this regulation for which you must determine a base period price under section 9 (b) of this regulation, or for which you are required to apply for a ceiling price or price determining method under section 43a of this regulation, you may continue to use your established GCPR ceiling price for such a commodity or service as your ceiling price under this regulation until February 20, 1952. If you do continue to use such a GCPR ceiling price you need not comply with the reporting requirements of this regulation with respect to such a commodity or service until February 20, 1952.

[Sec. 43b added by Amdt. 28]

SEC. 44. *Records and reports—(a) Record-keeping requirements.* (1) With respect to any commodity covered by this regulation the provisions of section 16 of the General Ceiling Price Regulation are hereby continued in effect insofar as they apply to the preparation and preservation of "base period records" and such "current records" as have been made as a result of sales between January 26, 1951, and the effective date of this regulation.¹

¹ The portions of the General Ceiling Price Regulation here referred to applicable to manufacturers, are as follows:

(2) You shall prepare and preserve for the life of the Defense Production Act of 1950 and for two years thereafter all records necessary to determine whether you have computed your ceiling prices, correctly, including (but not limited to) records showing base period prices and material and labor costs, and records showing costs, prices and sales, for the other applicable periods and dates referred to in the regulation.

The records to be preserved under this paragraph must include appropriate work sheets. The work sheets to be preserved must include all data and calculations required to determine your ceiling prices.

(3) You shall preserve for a period of two years all records showing the prices at which sales of commodities subject to the regulation have been made.

(b) *Reports.* (1) You must file with the Industrial Materials and Manufactured Goods Division, Office of Price Stabilization, Washington 25, D. C., on or before the effective date of this regulation, one or more reports on OPS Public Form No. 8 in accordance with the instructions contained in Appendix C. Copies of the form may be obtained from any Regional or District Office of the Office of Price Stabilization. If you report a ceiling price for any commodity higher than your ceiling price under the General Ceiling Price Regulation, you must file your report by registered mail and you must wait until you receive your return postal receipt confirming receipt by the Office of Price Stabilization

SEC. 16. (a) *Base period records.* (1) You must preserve and keep available for examination by the Director of Price Stabilization those records in your possession showing the prices charged by you for the commodities or services which you delivered or offered to deliver during the base period * * *

(2) In addition, on or before March 22, 1951, you must prepare and preserve a statement showing the categories of commodities in which you made deliveries and offers for delivery during the base period * * *

(3) On or before March 22, 1951, you must also prepare and preserve a ceiling price list, showing the commodities in each category (listing each model, type, style, and kind), or the services, delivered or offered for delivery by you during the base period together with a description or identification of each such commodity or service and a statement of the ceiling price. Your ceiling price list may refer to an attached price list or catalogue * * *

(4) You must also prepare and preserve a statement of your customary price differentials for terms and conditions of sale and classes of purchasers, which you had in effect during the base period.

(b) *Current records.* If you sell commodities or services covered by this regulation you must prepare and keep available for examination by the Director of Price Stabilization for a period of two years, records of the kind which you customarily keep showing the prices which you charge for the commodities or services. In addition, you must prepare and preserve records indicating clearly the basis upon which you have determined the ceiling price for any commodities or services not delivered by you or offered for delivery during the base period * * *

"Base period" as used in section 16 of the General Ceiling Price Regulation means December 19, 1950, to January 25, 1951, inclusive.

of your Public Form No. 8, before selling, as provided in section 46.

[Subparagraph (1) amended by Amdt. 23]

(2) The Director of Price Stabilization may from time to time require additional information or reports subject to the approval of the Bureau of the Budget under the Federal Reports Act of 1942.

(3) If you are a manufacturer of any commodity or commodities which have been added to Appendix A to this regulation subsequent to the issuance of this regulation (May 4, 1951), and for which you have properly determined your ceiling prices and filed the necessary form, report or reports in accordance with Ceiling Price Regulation 22 prior to the date on which such commodity or commodities were added to Appendix A, such a determination and filing will be considered a proper determination and filing pursuant to this regulation.

[Subparagraph (3) added by Amdt. 39]

SEC. 45. *Definitions and explanations.*—Unless the context otherwise requires, the definitions and explanations in this section shall be controlling.

(a) *Automotive parts.* This term means all engine parts, body parts, chassis parts, motors, electric equipment and wheels, and all other component parts and subassemblies (except electrical wires, cables, harnesses, and assemblies), of automobiles, trucks, busses, trailers, semi-trailers, and motorcycles (except rebuilt bodies of trucks, busses, trailers or semi-trailers) and all accessories and optional, extra and special equipment designed for use on, or with, such motor vehicles, and unfinished parts and components thereof (except electrical wires, cables, harnesses, and assemblies) when in such form as to permit their use only as automotive parts, but does not mean any service or maintenance accessories such as anti-freeze, body polish, tools, etc., or tires, tubes, sheet or other non-processed glass.

[Paragraph (a) amended by Amdts. 4 and 26]

(b) *Category.* This term is defined in section 5.

(c) *Class of purchaser or purchaser of the same class.* Class of purchaser is determined in the first instance by reference to your own practice of setting different prices for sales to different purchasers or groups of purchasers. The practice may (but need not) be based on the characteristics or distributive level of the buyer (for instance, manufacturer, wholesaler, individual retail store, retail chain, mail order house, government agency, public institution). It may (but need not) be based on the location of the purchaser or the quantity purchased by him. If you have followed the practice of giving an individual customer a price differing from that charged others, that customer is a separate class of purchaser.

If in your industry a practice prevails of charging different prices for sales to groups of buyers based on their characteristics or distributive level, any such group to whom you did not make sales during your base period and for whom

you did not have a customary differential in effect during or before your base period, is a separate class of purchaser as to you.

(d) *Commodity.* This term includes any item, object, material, article, product or supply.

(e) *Delivered.* A commodity shall be deemed to have been delivered if it was received by the purchaser or by any carrier, including a carrier owned or controlled by the seller, for shipment to the purchaser.

(f) *Director of Price Stabilization.* This term also applies to any official (including officials of Regional or District offices) to whom the Director of Price Stabilization by order delegates a function, power or authority referred to in this regulation.

(g) *End of your base period.* This term means June 24, 1950, if your base period is April 1 through June 24, 1950, or if you elected a previous calendar quarter as your base period in accordance with section 4, it means the last day of that quarter. If, however, you have elected different base periods for different commodities or categories in accordance with sections 4 or 5, the date you will use as the end of your base period is determined as follows:

(1) If you are calculating the "labor cost adjustment" or the "materials cost adjustment" upon the basis of your entire business or of a unit of your business and your base period is the same for all commodities produced in that unit, the last day of that base period is the end of your base period.

(2) If you are calculating the "labor cost adjustment" upon the basis of your entire business or of a unit of your business and your base period for all of the commodities being priced is not the same, the last day of the particular base period you have elected which covers the group of commodities having the largest aggregate dollar volume of sales in calendar or fiscal year 1950 is the end of your base period for your calculation of the "labor cost adjustment."

(3) If you are calculating the "materials cost adjustment" upon the basis of your entire business or a unit of your business and your base period for all of the commodities being priced is not the same, the last day of the particular base period you have elected for the group of commodities having the largest aggregate dollar volume of sales in calendar or fiscal year 1950 is the end of your base period for your calculation of the "materials cost adjustment."

(4) If you are calculating the "materials cost adjustment" for a commodity under method 2 (section 18) or method 3 (section 19) the end of your base period is the last day of the particular base period you are using.

(h) *Farm equipment.* This term means any mechanical equipment, attachment or part used primarily in connection with the production and farm processing for market and farm use of agricultural products, and also the categories of non-mechanical equipment, attachments and parts included in the partial list of farm equipment mentioned below. The term "farm equipment" does

not include automobiles, trucks, general purpose tools, hardware items, hand tools, prefabricated farm buildings, grain bins, building materials, electrical equipment (except electrically motivated farm equipment and fence controllers), lawn mowers, sprays or other chemicals, commercial processing machinery, livestock, seeds, feeds or any other agricultural products. A partial list of "farm equipment" follows: farm tractors, garden tractors; planting, seeding and fertilizing machinery; plows and listers; harrows, rollers, pulverizers, and stalk cutters; cultivators and weeder; harvesting machinery (combines, binders, pickers, potato diggers, pea and bean harvesters, beet lifters, etc.); haying machinery (mowers, rakes, hay loaders, stackers, balers, etc.); manure loaders; dairy farm equipment (milking machines, farm milk coolers (except mechanically refrigerated), farm cream separators, etc.); poultry farm equipment (incubators, brooders, feeders, waterers, etc.); bee keepers' equipment; agricultural spraying equipment; weed burners for farm use; barn and barnyard equipment; mechanical hog feeders; ironed singletrees, doubletrees and neck yokes; electrical fence controllers; farm water pumps and water systems; irrigation systems and equipment for farm use; windmills; windmill generating sets; portable farm grain elevators; wood slat corn cribbing woven with wire; silos; wood-sawing machines intended for farm use; machines for farm processing for market or farm use (farm size cane mills, cider mills, corn shellers, corn huskers and shredders, ensilage cutters, feed cutters, feed grinders and crushers, fruit presses, grain cleaners and graders, grain threshers, hammer mills, hay presses, peanut pickers, potato sorters and graders, syrup evaporators, etc.); farm wagons; and attachments and parts for all the foregoing.

(i) *Installation or erection service.* This term means the service of installation or erection required to install or erect a commodity covered by this regulation, where such service is performed by the manufacturer of the commodity, which is installed or erected, or by a parent, affiliate or a wholly owned subsidiary of the manufacturer of that commodity.

(j) *Largest buying class of purchaser.* This term refers to the "class of purchaser" of a commodity which bought from you the largest dollar amount of that commodity during your base period. It does not, however, include the United States or any agency thereof, any foreign purchaser, or any person to whom the only sales made during your base period were made under a written contract of at least 6 months' duration entered into prior to the base period, unless the United States or any agency thereof, any foreign purchaser or such contract purchaser was your only class of purchaser.

(k) *Manufacturer.* This term means any one of the following:

(1) Any person engaged in one or more operations in the fabrication, processing or assembly of the product being priced, including subcontractors.

(2) Any person who sells a commodity which has been produced on his account from materials or parts owned by him.

(3) Any person who sells a commodity under his own brand or trade name where he produces the same commodity or a commodity which is similar with respect to both physical properties and functions performed.

(4) Any person who sells a commodity under his own brand or trade name, where he owns any of the special purpose tools, special purpose dies, moulds or patterns used to produce the commodity; and in addition he owns, or is a licensee under, any of the patents for the commodity, or he has participated in the engineering with respect to design or production of the commodity. In no event, however, shall any person be considered a manufacturer under this subparagraph if he does not take physical possession of the commodity after its manufacture.

[Subparagraphs (3) and (4) amended by Amdt. 36]

(5) Any person who sells a commodity under his own brand or trade name who elects to price such a commodity under this regulation. Any person making such an election must notify by registered mail the Industrial Materials and Manufactured Goods Division, Office of Price Stabilization, Washington 25, D. C., of his election which shall become effective upon receipt of notice thereof by the Office of Price Stabilization. Such an election shall cover all commodities sold under the brand or trade name of the person making such an election and may not be changed without notification to and written approval of the Director of Price Stabilization.

[Paragraph (k) amended by Amdts. 8 and 24]

(l) *Manufacturing material.* This term is explained in section 14.

(m) *Net cost or net price.* Each of these terms refers to the cost or price to you of a manufacturing material, less any discount (other than a customary cash discount) or allowance you took or could have taken. It does not include separately stated charges such as freight, taxes, etc.

(n) *Net sales.* This term refers to gross sales after trade discounts, less returns and allowances. In the case of sales where the selling price is a delivered price, transportation charges should not be deducted.

(o) *OPS.* This means the Office of Price Stabilization.

(p) *Person.* This term includes any individual, corporation, partnership, association or any other organized group of persons, or legal successors or representatives of the foregoing, and the United States or any other Government or their political subdivisions or agencies.

(q) *Plant.* This term refers to a single physical location where business is conducted or industrial operations are performed, for example, a factory or a mill. If such a single physical location comprises two or more units, with separate payroll and inventory records, engaged in distinct industrial activities, each unit shall be treated as a plant.

This definition of "plant" is based on the definition of "manufacturing establishment" in the Standard Industrial Classification which is consistent with that used by the Bureau of Census in the 1947 Census of Manufacturers and subsequent surveys.

(r) *Product line.* This term is explained in section 19.

(s) *Records.* This term means books or accounts, sales lists, sales slips, orders, vouchers, contracts, receipts, invoices, bills of lading, and other papers and documents.

(t) *Sale at retail.* Sale at retail means any sale to an ultimate user, other than an agricultural, commercial, industrial, governmental or institutional user.

(u) *Sell.* This term includes sell, supply (with respect to either commodities or services), dispose, barter, exchange, transfer and deliver, and contracts and offers to do any of the foregoing. The terms "buy" and "purchase" shall be construed accordingly.

(v) *Service.* This term includes any service rendered or supplied otherwise than by an employee.

(w) *Written offer or written offer for sale.* Each of these terms refers to an offer for sale made by means of the seller's price list or, if he has no price list, a written offer otherwise made in the seller's customary manner. The term does not include an offer at a price intended to withhold a commodity or service from the market or used as a bargaining price by a seller who usually sells at a price lower than his asking price.

(x) *You.* "You" means the person subject to this regulation. "Your" and "yours" are construed accordingly.

(y) *Castings.* This term means any product produced from molten metal or alloy which is formed in a mold or die and on which no further operations are performed, except cleaning, snagging, rough grinding, inspecting, testing, rough drilling, or machining but only for the purpose of inspecting or cleaning. It also means any such product upon which further operations are performed, but only if it is designed solely to meet the buyer's specifications.

[Paragraph (y) added by Amdt. 4]

(z) *Conversion steel.* This term means steel mill products which have been obtained by the consumer in consequence of the consumer or some other person having furnished, directly or indirectly, to one or more steel producers or converters, steel mill products in a less finished form such as, but not limited to, ingots, blooms, billets, slabs, rods, skelp, and hot rolled sheets in coils, for the express purpose of procuring such steel mill products.

[Paragraph (z) added by Amdt. 15]

(aa) *Your ceiling price as determined under this regulation.* This term includes a ceiling price determined under CPR 30, or any supplementary regulations to CPR 30, unless the context clearly excludes from its meaning a price determined under a supplementary regulation to CPR 30.

[Paragraph (aa) added by Amdt. 20]

SEC. 46. Prohibitions. (a) On and after the effective date of this regulation, regardless of any contract or other obligation, (1) you shall not sell any commodity or service subject to this regulation at a price exceeding your ceiling price as determined under this regulation, and (2) no person shall buy from you, in the regular course of business or trade, any commodity or service subject to this regulation at a price exceeding your ceiling price as determined under this regulation.

(b) On and after the effective date of this regulation you shall not sell any commodity or service subject to this regulation unless you have complied with the report requirements of section 44, where you are required to do so.

(c) In the event your ceiling price for a commodity or service under this regulation is higher than your ceiling price under the General Ceiling Price Regulation you shall not sell the commodity or service at a price exceeding your ceiling price under the General Ceiling Price Regulation, except under the following conditions:

(1) You must send by registered mail a report, relating to that commodity or service, on Public Form No. 8 (in accordance with the instructions shown in Appendix C) to the Industrial Materials and Manufactured Goods Division, Office of Price Stabilization, Washington 25, D. C. Copies of this form can be obtained from any Regional or District office of the Office of Price Stabilization.

(2) As soon as you receive your return postal receipt confirming receipt by the Office of Price Stabilization of your report on OPS Public Form No. 8, you may deliver that commodity at your ceiling price as determined under this regulation, unless and until notified by the Director of Price Stabilization to continue using your GPCR ceiling price, or such higher ceiling price as he may permit, either because your ceiling price proposed under this regulation has been disapproved in whole or in part, or because more information is required.

[Subparagraph (2) amended by Amdts. 6 and 23; Subparagraph (3) deleted by Amdt. 23]

SEC. 47. Transfers of business or stock in trade. If the business, assets or stock in trade are sold, or otherwise transferred, after the issue date of this regulation, and the transferee carries on the business, or continues to deal in the same type of commodity or service, in an establishment separate from any other establishment previously owned or operated by him, the ceiling prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over, to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the provisions of this regulation.

SEC. 48. Charges lower than ceiling prices. Lower prices than those estab-

lished under this regulation may be charged, demanded, paid or offered;

SEC. 49. Evasion.—(a) *In general.* The price limitations set forth in this regulation shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase, lease of, or relating to, commodities or services covered by this regulation, alone or in conjunction with any other commodity or service, or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

(b) *Specific practices.* The following practices are, specifically but not exclusively, among the practices prohibited by paragraph (a) and are itemized here only to lessen the frequency of interpretative inquiries which experience indicates are likely to be raised under the general evasion provision:

(1) Paying a purchase commission, if the sum of the commission and the purchase price exceeds the ceiling price.

(2) Requiring a customer to furnish material for processing not in accordance with previous practice.

(3) Entering into a joint venture with any other person subject to this regulation for cross-selling, cross-purchasing or cross-servicing.

(4) Reducing the period of any guaranty or warranty of performance in effect during your base period.

(5) Eliminating or reducing any maintenance, repair, replacement or installation service in effect during your base period.

(6) Granting less than a reasonable allowance for commodities received in trade.

(7) Eliminating or reducing rental or trade-in credits on purchases.

(8) Renting or leasing a commodity with an option to purchase, when the sum of the rental and the sale price exceeds the ceiling price established by this regulation for the sale of the commodity.

SEC. 50. Violation.—(a) *Civil and criminal action.* Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions and suits for treble damages provided for by the Defense Production Act of 1950.

(b) *Record-keeping and filing violations.* If any person subject to this regulation fails to keep the records or file the reports required by this regulation, or if any person subject to this regulation fails to establish a ceiling price or apply to the Office of Price Stabilization for the establishment of a ceiling price, if he is required to do so, the Director of Price Stabilization may issue an order fixing ceiling prices for the commodities or services such person sells. Any ceiling price fixed in this manner will be in line with ceiling prices established by this regulation. The order fixing the ceiling price may apply to all deliveries or transfers for which a ceiling price was not established in accordance with the provisions of this regulation, including deliveries or transfers completed prior to the date of issuance of the order. The

issuance of such an order will not relieve the seller of his obligation to comply with the requirements of this regulation or of the various penalties for failure to do so.

NOTE: The record keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

JOSEPH H. FREEHILL,
Director of Price Stabilization.

By: JOSEPH L. DWYER,
Recording Secretary.

APPENDIX A—COMMODITIES COVERED BY THIS REGULATION

The commodities covered by this regulation are listed below:

Abrasive products, including coated, bonded, natural stone and artificial abrasives.
Air-conditioning equipment, condensing units of 25 tons capacity and over.
Aircraft.

[Item above added by Amdt. 1]

Aircraft parts (all parts, subassemblies and unfinished parts and components of aircraft which are in such form as to permit their use only as aircraft parts, except tires and tubes, and electrical wires, cables, harnesses, and assemblies.)

[Above item added by Amdt. 1; amended by Amdts. 4 and 26]

Antennas, marine, earth and rock.
Antennas, radio and television, except built-in antennas included within the cases of domestic radio or television receivers.

Anvils, except jewelers' anvils.

Arresters, lightning, including lightning rods.

Asphalt mixing plants and attendant plants.
Attachments and accessories for machinery and machine tools, including the following illustrative list:

Adapters.
Arbors.
Blocks, machine tool.
Brakes, spindle.
Centers, bench.
Centers, lathe.
Chucks, all types.
Clamps.
Collets.
Die heads.
Die sets.
Dogs, work driving.
Edges, straight.
Electric etchers and de-magnetizers.
Feeding devices.
Glass, level.
Grinders.
Ground steel stock for punches, dies, jigs, fixtures, etc.
Guides, adjustable.
Heads.
Holders, tool and work.
Mandrels, all types.
Plates, all types.
Posts, tool.
Saw accessories (sets, swages, guides, clamps, bracing tools).
Sockets.
Stops, machine.
Templates.
Torque wrenches.
Wheels, buffing and polishing.

Augers, earth.
Automotive parts (See definition in section 45).

Automotive testing and maintenance equipment, mechanical and electrical.

Automotive trucks (including fire trucks), hearses, flower cars and other vehicles designed for funeral use, ambulances, busses, motorcycles, motor scooters, and house and truck trailers.

[Above item amended by Amdt. 21]

Batteries, storage.
Battery chargers.
Bearings, antifriction (ball, roller, needle, etc.).
Bearings and bushings, ferrous and non-ferrous.
Belting, leather and textile.
Bimetallic thermal strips, fabricated.
Blocks and tackle.
Boilers, power, industrial and marine, 100 p. s. i. and higher working pressure.
Broom-making machinery.
Brushes, industrial, power-driven.
Brush-making machinery.
Bushings, porcelain, glass and steatite, for electrical uses.

["Cable" deleted from Appendix by Amdt. 26]

Cable accessories, electrical (except electrical cable accessories made for use with copper or aluminum cable).

[Above item amended by Amdt. 26]

Can-making machinery and equipment.
Capacitors, electrical.
Carbon graphite and metal graphite for electrical uses.

Carriers, lumber, steel, etc., specifically designed for industrial or commercial use.

Cars, freight, including all types of flanged wheel mining and industrial cars.

Cars, passenger, for surface, subway or elevated lines.

Casters.

Cement-making machinery.

Ceramics machinery.

Chain, power transmission, including chain fittings and assemblies.

Chemical processing machinery.

Circuit breakers, electrical.

Clamps of the C and bar type, except those used for medical or dental purposes.

Clevises.

Clockwork systems, industrial, used in connection with mechanical instruments.

Coal preparation equipment.

Coke oven doors and jambs.

[Above item added by Amdt. 4]

Compressors, except those used with condensing units under 25 horsepower or 25 tons.

Concrete products machinery and equipment.

Condensers, synchronous, electrical.

Conduit.

Conduit fittings.

Control equipment, electrical, industrial.

Convertors, synchronous, electrical.

Conveyors and conveying systems, industrial.

Core drilling and core making machinery.

Cotton-ginning machinery.

Cranes, crawler, overhead bridge, locomotive, revolving, truck and others.

Cutting tools, including the following illustrative list:

Augers, machine.
Bits, machine.
Blades, hacksaw—all types.
Blades, power-driven saw.
Blades, machine, shear, etc.
Broaches.
Chasers.

Chisels, machine.

Counterbores.

Countersinks, machine.

Cutters.

Dies, cutting and threading.

Dressers, abrasive wheel.

Drills.

Extractors.

Files, rasps and burrs.

Form tools.

Hobs.

Knives, machine.

Knurling tools.

Punches, machine.

Reamers.

Rules, creasing, cutting and perforating.

Scraper blades, machine.

Taps.

Cutting tools—Continued

Tips: tool (except pressed or formed sintered tungsten carbide not processed beyond final sintering, and stellite).

[Above item amended by Amdt. 13]

Cylinders, power, hydraulic, pneumatic and hydropneumatic.

Derricks.

Diamond tools: core bits, dies .002" and larger, dressing tools, shaped tools, wheels, etc.

Dies, jigs, and fixtures.

Die-casting machinery.

Distribution boards, electrical.

Dollies, industrial.

Dozers, angle, bull and push.

Dredging machinery.

Dry-cleaning and clothes-pressing machinery, except domestic.

Ducts for electrical uses, except those manufactured from asbestos, cement, ceramic materials or clay.

Dust-collecting equipment, industrial, portable and stationary, including industrial vacuum cleaners.

Economizers, steam, industrial and marine.

Electrodes.

Electroplating and hot-dip metal coating equipment, including preparatory and finishing equipment used in connection with metal coating processes.

Electro-therapeutic apparatus and supplies.

Electronic devices, equipment and parts except radio and television receivers, hearing aids, and electronic business machines commonly used in offices.

[Above item amended by Amdt. 40]

Elevators, passenger and freight.

Engines, diesel and oil.

Engines, gas.

Engines, gasoline and kerosene, except toy and portable outboard motors.

[Above item amended by Amdt. 4]

Engines, steam, except toy.

Engine-generator sets.

Escalators (moving inclined stairways for raising or lowering passengers).

Excavating and earth-moving machinery, including power shovels, ditchers, draglines and power scrapers.

Fabricated structural metal shapes, plates, and related products. This term includes products which are (i) fabricated from ferrous or non-ferrous structural shapes, plates, bars, sheet, pipe mill products, and/or tubing; (ii) custom engineered; and (iii) custom fabricated to the buyer's specifications. The term does not include any products which are standardized and manufactured on a production-line basis.

[Above item amended by Amdt. 27]

Fabricated standard line structural metal shapes, plates, and related products (excluding tanks, stampings, and sheet metal shop products) which are used in conjunction with construction work or in the manufacture of end-use products. This term includes products which are (1) fabricated or formed from ferrous or non-ferrous structural or bar size shapes, plates, sheets, strips, bars, and/or tubing, (2) made to fabricator's specifications, (3) sold from established price lists, and (4) made with specialized machinery on a production-line basis.

[Above item added by Amdt. 27]

Fans and blowers, industrial; excluding unit heaters or unit ventilators, hand blowers, and desk, pedestal, portable, ceiling, wall-bracket type fans, and propeller type fans 24" diameter and under; but including warm air furnace fans, attic ventilating fans, built-in fans over 24" diameter and pressure fans and blowers.

[Above item amended by Amdt. 40]

Farm equipment (see definition in section 45).

Feed-water heaters, industrial and marine.

Floor surfacing and floor maintenance machinery, industrial.

Food and beverage machinery including meat packing-house machinery and equipment, canning plant machinery for food products, dairy and milk product plant machinery and equipment (except farm dairy equipment for which see "Farm Equipment"), cereal manufacturing machines, confectionery, vegetable oil and beverage industries machinery, and miscellaneous food products machinery not elsewhere classified; but excluding food preparation appliances, either electrical or hand operated, designed primarily for household and commercial and institutional use, such as juice extractors, cookers, coffee makers, roasters, choppers, fruit and vegetable peelers, slicing machines, stock kettles, etc.

[Above item amended by Amdt. 40]

Forgings (all ferrous and non-ferrous metal products commonly known as "forgings" which are formed by the use of power-actuated hammers, pressers, or forging machines, including "forgings" upon which supplementary operations, such as trimming, coining, testing, inspecting, heat treating, welding, machining, plating, or other surface coating, have been performed).

Foundry machinery, including ladles not over 40-ton capacity.

Furnaces and ovens, industrial and laboratory, except space heating, warm air furnaces, stoves, blast furnaces, open hearth furnaces, Bessemer converters, soaking pits, and coke ovens.

[Above item amended by Amdt. 4]

Fuses for the protection of electrical equipment.

Galvanometer and pyrometer movements.

Gas burners designed for use with products covered by this regulation.

Gaskets and packings, except those made in whole or in part of rubber.

Gauges, specifically designated for industrial or commercial use.

Gears, pinions, sprockets and speed reducers, including gear motors, motorized speed reducers and variable speed and other machine drives.

Generators, electrical.

Generators, gas.

Generator sets, diesel-electric, gas engine, electric and motor or engine driven.

Glass-making machinery.

Glass products, industrial, scientific and technical which are listed below:

Electrical glassware:

Bulbs, glass portion (incandescent, fluorescent, indicator, auto lamp, radio, television, X-ray, radar and power tube).

Bushings.

Capacitors.

Coil forms.

Flares (glass base portion for lighting, radio, indicator, auto lamp, television, X-ray, radar and power tube).

Fuse plugs.

Insulators.

Resistor tubes.

Tubing (electrical, fluorescent).

Industrial glassware:

Cylinders.

Flat gauge glasses.

Glass products—Continued

Industrial glassware—Continued

Glass bulbs.

Gauge cup and oil cup glasses.

Meter and relay covers.

Miscellaneous industrial glassware which is to be further fabricated by others or which is to be incorporated as a component part of an industrial product.

Laboratory and pharmaceutical glassware:

Apparatus ware.

Chemical ware.

Instrument tubing.

Laboratory apparatus tubing.

[Above category amended by Amdt. 11]

Optical glass:

Rough glass blanks for optical, ophthalmic and scientific use.

Signal glassware:

Airplane running lights.

Battery jars.

Explosion resisting globes.

Fresnels.

Front glasses.

Lenses.

Obstruction lights.

Optical ware (color and light filters).

Roundels.

Governors, engine.

Ground steel stock for punches, dies, jigs, fixtures, etc.

Gyroscopes.

Hat-making and repairing machinery.

Heat exchanger equipment (when designed for use with products covered by this regulation).

Heaters, sand, stone or bitumen.

Heating, melting, burning and thawing equipment, portable, for industrial and transportation purposes, except mechanics' fire pots and blow torches.

Heating units and devices, electrical, industrial.

Holists.

Hose and tubing, metal, flexible.

Hydraulic machinery.

Instruments, electrically or mechanically operated for measuring, testing, indicating or recording electrical quantities.

Instruments, mechanical, for indicating measuring, recording and testing, including aircraft, laboratory, marine, precision and scientific mechanical instruments, but excluding tire gauges, carpenters' tools, clinical, dental, household, optical and surgical instruments, low pressure heating controls (such as thermostatic traps, blast traps and strainers), water level controls (all types), air temperature and humidity controls (all types), coin-operated devices and household refrigeration controls.

Insulators, porcelain, glass and steatite, for electrical uses.

Inter-communicating systems, electronic.

Jacks and jack screws.

Kilns (except brick), coolers and dryers specifically designed for industrial or commercial use.

Laundry machinery, except domestic.

Leather-working machinery.

Lighting equipment, electrical, for airway, commercial, flood-lighting, industrial, marine, seadrome, and street and highway uses.

Lighting fixtures, not portable.

Line material, transmission or trolley.

Loading and unloading equipment, specifically designed for industrial or commercial use.

Lock and dam machinery, which is designed exclusively for the control of water flow in locks, dams and structures when such locks, dams, and structures are designed for flood control, irrigation, power generation or transportation purposes.

Locomotives and tenders, including mining and industrial.

Logging and lumbering machinery and equipment.

Lubricating systems and devices, industrial, stationary.

Machinery, industrial, not listed elsewhere in this Appendix. The term "industrial machinery" means any machinery or equipment, not specifically excluded from the coverage of this regulation, which is used in the extraction, production or processing of commodities.

Machine tools (power driven machines used for shaping metal by cutting, abrading, straightening, forcing, forging or forming under pressure).

Machine tool attachments (any accessory equipment furnished with a machine tool, or separately for use on a machine tool).

Machines, tools, devices and appliances designed specifically for the installation, operation, maintenance and protection of tracks, yards, signals, rolling stock and motive power of surface, subway or elevated rail lines.

Magnetos.

Magnets, lifting, industrial.

Marine equipment listed below:

Anchor.

Boat hooks without handles.

Buoys, pontoons and rafts, metallic.

Capstans.

Chocks.

Cleats.

Controls, bulkhead and throttle.

Deck and manhole plates, machined.

Fog horns and whistles, manually operated.

Gooseneck and boom bands.

Hatch covers, metal.

Lights, oil.

Marlin spikes and belaying pins, metal.

Mooring and riding bitts.

Port lights.

Pumps, marine, manually operated.

Reels, hawser, manually operated.

Rope guides and leaders.

Rowlocks.

Shackles.

Snap.

Sockets.

Steering apparatus, manually operated.

Ventilators.

Metals and alloys, special, electrical (except steel with less than 6 percent alloy content and pure tungsten or thoriated tungsten containing not less than 98 percent tungsten, rolled, drawn, ground or swaged, but not further fabricated other than by cutting or bending) in any fabricated form used for electrical, magnetic, or glass-sealing purposes, including special contact alloys and special coated iron wire.

[Above item amended by Amdts. 5 and 27]

Mining and quarrying machinery, including mine cars and trucks.

Molds and patterns.

Motion picture equipment, 35 millimeter, including sound equipment and parts for recording, reproducing and projecting, for studio, theatre, commercial or industrial use.

Motors, electrical.

Neon indicator attachments.

Numbering and marking machines for use on metal, except office machines.

Oil burners, industrial and marine, burning No. 5 oil or heavier, except horizontal, rotary and gun type burners.

Oil mill machinery and equipment.

Oil-well and oil-field machinery and equipment.

Optical processing machinery.

Ore-crushing and concentrating machinery.

Ovens, industrial and laboratory, except coke ovens.

Packaging, wrapping, filling and labeling machinery.

Paint-making and ink-making machinery.

Panelboards, electrical.

Parts and subassemblies of any commodity listed in this Appendix, where the part or subassembly is in such form as to permit its use only in a commodity listed in this Appendix, except castings and mechanical rubber goods. The term "castings" is defined in section 45 *Definitions*.

[Above item amended by Amdt. 4]

Parts, subassemblies, and components, metallic, of any commodity covered by Ceiling Price Regulation 22, where such part, subassembly or component is sold by a manufacturer other than the manufacturer of the commodity covered by Ceiling Price Regulation 22 of which it is a part, subassembly or component except the following which remain under CPR 22: watch cases and metal watch bands.

[Above item added by Amdt. 39]

Petroleum refining machinery.
Pharmaceutical machinery.
Pile drivers.
Pipe wrapping and coating machinery.
Pistons and piston rings.
Plants, stationary, for railroad use in handling cinders, fuel, sand or water.
Plastics fabricating and molding machinery.
Pole-line hardware and line construction specialties.
Power transmission equipment, industrial, including belt-tighteners, blocks and bearing housings, brackets, clutches, collars, couplings, hangers, motor bases, pillow blocks, pulleys, sheaves, shifters, universal joints and variable speed and other machine drives.
Presses, specifically designed for industrial or commercial use.
Printing machinery and equipment.
Public address apparatus.
Pulp, paper and paper products machinery.
Pulverized fuel burners.
Pumps, power operated, with or without power.
Pumps, hand-operated, except store fixtures and hand-operated tire pumps.
Railroad car and locomotive parts, and specialties for elevated, subway or surface lines, including:
Axles.
Bearings, truck side.
Bollers, fireboxes, front ends and cabs, fittings, fixtures, devices, or appliances mounted thereon.
Brakes and brake gears.
Coupler devices or attachments.
Devices and appliances mounted on locomotives for treatment, distribution or control of water, fuel, steam, sand or electricity.
Doors and fixtures.
Draft gears, buffers, and attachments.
Driving, foundation, or running gear.
Grain control apparatus.
Journal boxes, assembled.
Heating, lighting, ventilation, and air-conditioning equipment.
Lubricating devices.
Miscellaneous fittings, fixtures, specialties, devices or appliances designed specifically for use on railroad cars or locomotives, except artillery or other exclusively military or naval equipment.
Safety appliances and warning devices.
Sides, roofs, ends, running boards, and brake steps.
Spring rigging, snubbers and shock absorbers.
Tires, steel.
Trucks, complete.
Underframes.
Wheels, iron and steel.
Rectifiers, power, industrial.
Refrigeration equipment, condensing units of 25 horsepower and over.
Regulators, feeder voltage.
Regulators and dampers, power operated, except those designed for domestic heating systems.

Replacement units and assemblies for mechanical refrigerators having a refrigerated volume of 16 cubic feet or less, when sold by the manufacturer.

Reproduction machinery, architectural and engineering, such as blueprinting, black and white printing, and brown printing machinery.

Road and airport building and maintenance machinery, including graders, pavers, rollers, sprayers, mechanical road cleaning equipment, etc.

Rock-crushers and plants.

Rod, wire and tube-working machinery and equipment.

Rolling mill machinery and auxiliary equipment.

Rope fittings, manila and wire.

Rubber and allied products machinery.

Rubber tire and tube machinery and equipment, including tire recapping and retreading molds and necessary parts (full circle and sectional molds, matrices, etc.), tire buffers and spot vulcanizers for tubes.

Saws, specifically designed for industrial or commercial use.

Scaffolds and towers.

Scales, weighing, industrial and laboratory, except coin operated, counter, household, office and store types.

Screw machine products, when sold by the manufacturer, except those for which the manufacturer issues a catalog or price list. The term "screw machine product" means any product that is made complete or in its first operation on a hand or automatic screw machine.

Searchlights.

Separators, steam, industrial and marine.

Sewing machines, industrial.

Sharpening and filing equipment.

Ships (any ship or boat powered by an inboard engine and barges and cargo carrying barges whether powered or not).

[Above item amended by Amdt. 4]

Shoe manufacturing and repairing machinery.

Signal equipment, railroad, including highway crossing signals.

Signalling apparatus.

Siren blowers.

Skid platforms and pallets, all metal.

Snow plows.

Soot blowers and tube cleaners, power operated, industrial and marine.

Sound recording and reproducing equipment and parts, including portable recorders and recording and transcription turntables, except home or office recording or reproducing equipment.

Spraying devices, industrial, power-operated, for the application of any material.

Spreaders for construction and road-building use.

Springs, except furniture and bed springs.

Spring winding and forming machinery.

Sprockets, power transmission.

Stackers, industrial.

Stampings, metal, when sold by the manufacturer, except non-ferrous mill products, wire goods, steel mill products, or any product for which the manufacturer has issued a catalog or price list. The term "metal stampings" means stamped or pressed metal products which are mechanically processed by the use of dies and upon which further finishing operations may or may not have been performed, when sold unassembled. A metal stamping may consist of two or more stamped pieces which have been permanently joined by methods such as brazing, riveting, soldering or welding.

Steam cleaning and degreasing equipment and parts, washing and cleaning equipment, except commercial and domestic dish and utensil washing and cleaning equipment.

Steam specialties.

Stokers, industrial and marine, with a capacity of 1200 pounds per hour or more.

Stone working machinery.

Sub-stations, unit (power distribution).

Superheaters, industrial and marine.

Surveying instruments, such as alidades, levels and transits.

Switchboxes.

Switches, electrical, knife and enclosed.

Switchgear and switchgear accessories.

Tanks and vessels, pressure, made of metal

10 B. W. G. and heavier, regardless of capacity, or of a capacity in excess of 192 gallons, regardless of gauge, except field erected storage tanks or cylinders which are designed primarily for the transportation of liquids or gases under pressure and which are not designed to be permanently attached to the vehicle transporting such tanks.

Tanks and vessels, non-pressure, made of metal heavier than 10 B. W. G., regardless of capacity, or of a capacity in excess of 585 gallons, regardless of gauge, except all obround tanks; field erected tanks or vessels; products commonly known as plumbing fixtures, such as flush tanks and laundry trays; products commonly known as pans and cans, such as pails and buckets; non-returnable shipping retainers; refuse receptacles, drip and waste receivers; and septic tanks.

Telegraph apparatus.

Telephone apparatus, including sound and powered telephone and non-electronic intercommunicating equipment.

Testing sets for electronic equipment.

Textile machinery, including equipment and accessories designed exclusively for use with such machinery.

Tobacco working machinery.

Tools, hand, including, but not limited, to the following:

Adzes.
Angle drivers.
Angles, cement workers'.
Auger bits.
Awls.
Axes.
Bars; crow, wrecking, pinch, claw, etc.
Bevels, dividers and squares.
Braces and bits.
Bung bores.
Caulking tools.
Chisels, hand.
Drills, hand.
Fire pots.
Flue cleaners.
Furnaces, plumbers'.
Gimlets.
Glass cutters.
Grease guns.
Hack saw frames.
Hammers and hatchets.
Ice tools (breakers, saws, tongs, and picks).
Ladies, melting.
Lanterns, except safety lamps.
Levels.
Level glasses.
Mallets (all types).
Mitre boxes.
Mortising tools.
Nail sets.
Oyster tools and tongs (except kitchen).
Packing tools.
Peavies, logging.
Pick and mattocks (except field and garden).
Pike poles.
Pike pullers.
Planes, carpenters'.
Pliers.
Plumb bobs.
Post hole augers and diggers.
Pulleys; wheel, gear and bearing.
Punches, hand (except office).
Ratchet drills and drivers.
Saws, hand (including frames, blades and accessories).
Screwdrivers.
Sheaves.

Tools, hand—Continued

Shovels, other than garden and agricultural.
Sledges.
Snips and shears, metal cutting.
Soldering irons.
Spoke shavers.
Tampers, asphalt and cement.
Tool kits.
Tools, hand; machine, carpenters, miners, cement workers, logging, blacksmith, automotive and service.
Torches, blow.
Watchmakers' tools.
Wedges.
Wrenches.

[Above item added by Amdt. 39]

Tools, manually operated, for the cutting, forming and punching of metals.
Tools, pipe and tube, manually operated, including beading, belling, banding, cleaning, cutting, expanding, and flaring and wrenches for operating.
Tools, power-driven, portable or non-portable.
Track work, fabricated (including but not limited to frogs, switches and cross-overs).

[Above item added by Amdt. 4]

Tractors.
Trailers.
Transformers, including specialty transformers.
Trucks, industrial, hand.
Trucks, power-operated, lift, platform and straddle.
Turbine generator sets.
Turbines and governors, gas, hydraulic and steam.
Turnbuckles.
Vises, all types, vise mounts, stands and supports.
Water conditioning and purifying equipment, industrial.
Water power equipment.
Weldings apparatus and supplies, electrical, including electrodes (except hard facing welding electrodes and other hard facing materials containing tungsten and copper and copper base alloy welding rod and welding wire).
Welding and cutting apparatus and supplies, gas, including generators, welding rods and welding wire (except hard facing welding rods and other hard facing materials containing tungsten and copper and copper base alloy welding rod and welding wire).

[Above two items amended by Amdts. 5 and 9]

Well-drilling equipment.
Wheels.
Winches and windlasses, manually or power operated.
Wire accessories, electrical.

[Item "Wire, insulated, electrical" deleted by Amdt. 26]

Wire machinery.
Wiring devices, electrical.
Woodworking machinery.
X-ray and electro-therapeutic apparatus and supplies.

APPENDIX B

With respect to the following manufacturing materials, the change in net cost may be calculated up to March 15, 1951.

(a) Stumpage, logs, pulpwood, and other raw forest products.

(b) Gas, electricity, and steam.

(c) All scrap and waste materials.

(d) The following textile mill products:

(1) All wood fibers which have been processed beyond the scouring stage.

(2) Wool yarn and fabrics as defined in Ceiling Price Regulation 18, together with all other yarns and fabrics containing 25%

or more wool by weight, however manufactured.

(e) The following lumber and wood products:

(1) Lumber, plywood, veneers, shooks, millwork, wood containers, wood excelsior, wood excelsior pads, ties, posts, poles, piling, shuttle blocks, picker stick blanks, wagon and implement woodstock and wood parts, such as double trees, wagon tongues, neck yokes and wagon spokes.

(2) Other allied wood products including "turned wood products" (meaning any soft wood or hardwood lumber products which have been turned on a cutting machine or passed through a dowel machine) or "shaped wood product" (meaning any soft wood or hardwood lumber products which have been shaped on a pattern or cutting machine).

(3) Wooden products which are completed and ready for ultimate farm use are not included unless they are specifically covered by subparagraphs (1) or (2) of this paragraph. A product is considered "completed and ready for ultimate farm use" within the meaning of this paragraph, even though it must still be painted, lacquered, varnished or upholstered, or subjected to further processing not affecting basic utility, but necessary for consumer acceptance or purchase.

[Paragraph (e) amended by Amdt. 4]

(f) The following chemicals and allied products:

(1) Crude and synthetic rubber.
(2) Synthetic textile fibers and yarns.
(3) Fermentation ethyl alcohol, acetone, and butyl alcohol.

(4) Synthetic butyl alcohol made from fermentation ethyl alcohol.

(5) Natural and synthetic glycerin.

(6) Fatty acids which occur in vegetable and animal oils in the form of glyceride esters, such as stearic, palmitic, oleic and lauric acids.

[Subparagraph (6) amended by Amdt. 4]

(7) Paints, varnishes, and lacquers.
(8) Naval stores.
(9) All natural gums and resins.
(10) All vegetable waxes.
(11) All natural dyeing materials.
(12) All essential or distilled oil.
(13) Fats and oils for which ceiling prices are provided in Ceiling Price Regulation 6.
(14) The following oilseeds or nuts, their oils and fatty acids or combinations of these oils so long as in normal trade practice they retain their identity:

Babassu kernels.	Ouricury kernels.
Babassu oil.	Ouricury oil.
Cacao butter.	Palm kernel oil.
Cashew nut shell liquid.	Palm kernels.
Castor beans.	Palm oil.
Castor oil.	Perilla seeds.
Cocao nut oil.	Perilla seed oil.
Cohune kernels.	Poppyseed.
Cohune oil.	Poppyseed oil.
Copra.	Rapeseed.
Coquito kernels.	Rapeseed oil.
Coquito oil.	Rubberseed.
Corozo kernels.	Rubberseed oil.
Corozo oil.	Sesame oil.
Hempseed.	Sesame seed.
Hempseed oil.	Sunflower seed.
Kapok seed.	Sunflower seed oil.
Kapok seed oil.	Tucum kernels.
Muru-muru kernels.	Tucum oil.
Muru-muru oil.	Tung oil.
Oiticica oil.	
Olive oil, edible, sulphur and other inedible.	

(15) Whale oil.

(16) Sperm oil.

(17) Fish oils, including cod oil and shark oil.

(18) Peanut oil.

(19) Rice bran oil.

(20) Oleo stock, oil and stearine.

(21) Inedible tallow, greases and fat-bearing and oil-bearing animal waste materials as defined in Ceiling Price Regulation 6, Amendment 2.

(22) Wool grease.

(23) Glue stock.

(24) Casein.

(25) Cotton linters.

(g) Crude petroleum and petroleum fuels and lubricants, including petroleum coke when used as fuel, and natural gas.

(h) Coke, coal chemicals, coke oven gas, as defined in General Ceiling Price Regulation, Supplementary Regulation 13.

(i) Bituminous coal, anthracite coal, coal briquettes, charcoal, and fuel processed from anthracite or bituminous coal.

(j) Cattle hide, kips, and calfskins, as defined in Ceiling Price Regulation 2.

(k) Hogskins, woolskins, sheep and lamb shearings, pickled lambskins, pickled sheepskins, horsehides, deerskins, alligator skins, and snakeskins.

(l) Leather, tanned and finished.

(m) The following specified building materials:

(1) Cement, including standard Portland Cement; Special Portland Cement, such as high early strength masonry or mortar, low and moderate heat, oilwell, sulphate-resisting, white Portland; or any other cement generally classified as Special Portland Cement; alumina cement, natural cement, puzzolan (slaglime) cement; and masonry cement of the natural cement class; but excluding hydraulic lime.

(2) Ready mixed Portland cement concrete.

(3) Calcined gypsum plasters, not including finished products produced therefrom.

(4) Lime (construction, metallurgical, chemical, agricultural, refractory).

(5) Sand, gravel, crushed stone and slag, both aggregates and industrial.

(6) Light weight aggregates.

(7) Asphaltic concrete and bituminous paving mixes.

(8) Roofing granules, natural and artificial.

[Paragraph (m) amended by Amdt. 4]

(n) Primary metals, metallic alloys, metallic oxides, and metallic by-products.

[Paragraph (n) amended by Amdt. 4]

(o) All secondary metals and scrap.

(p) All metal powders.

(q) All metallic ores.

(r) (1) All non-metallic minerals which are obtained from their natural state solely by mechanical means such as grinding, washing, leaching, classification, flotation, evaporation, dehydration and the like. This term does not include commodities which are obtained by refining or purification processes involving recrystallization or chemical methods including carbonation, ionic interchange and similar methods.

(2) The exceptions provided in subparagraph (1) of this paragraph do not apply to the following dimension and building stone: Basalt and related stones; granite: building, ornamental and monumental; greenstone: interior, or exterior building, structural, ornamental, and monumental; limestone: building, ornamental, and monumental; marble: slabs-building, structural, and decorative; and ornamental and monumental marble; sandstone: building, structural, ornamental, floor and flagging (including bluestone and brownstone); slate: structural, electrical, roofing, floor, and flagging.

[Paragraph (r) amended by Amdt. 4]

(s) All cast, rolled, drawn, or extruded metals and alloys which have not been further fabricated, except cast iron soil pipe and

fittings, cast iron water and gas pipe and fittings, and valve and pipe fittings.

[Paragraph (s) amended by Amdt. 4]

(t) Fabricated structural steel and steel plate and fabricated reinforcing bars, except metal lath and metal lath accessories (including cold rolled channels).

[Paragraph (t) amended by Amdt. 4]

(u) Wood pulp, paper, paper board, and converted paper and paperboard products.

(v) All imported materials, when purchased from a foreign supplier, or from a seller in the United States in substantially the same form as that in which imported (except for services normally performed by importers such as sorting or packaging), or after simple processing operations only, such as wool scouring.

(w) All jute products containing more than 50 per cent by weight of jute.

(x) All industrial services.

(y) Merchant clays, as listed and described in the Bureau of Mines, U. S. Department of the Interior, current "Minerals Yearbook."

(z) The following iron and steel products: Wire rope and strand; wire (barbed and twisted); wire fence (woven or welded); wire netting; nails (cut and wire); staples; wire bale ties; fence posts; steel screen wire cloth, welded wire concrete reinforcing mesh; hoops; bailing bands, and cotton ties; formed roofing and siding; valley, ridge roll, and flashing; welded pipe and tubing; rails and track accessories.

(aa) Glass containers and closures for glass containers except rubber closures and novelty closures not used by commercial bottlers or packers.

[Paragraphs (y), (z), (aa) added by Amdt. 4]

APPENDIX C—CHANGES IN USE OF OPS PUBLIC FORM NO. 8 WITH THIS REGULATION

OPS Public Form 8 and instructions for its use have been filed with the Division of the Federal Register as part of this regulation. Copies of this form and its instructions may be obtained from any District or Regional Office of the Office of Price Stabilization.

In using OPS Public Form 8, which is required to be filed by sections 44 and 46 of this regulation, you must make the following changes in the instructions which accompany OPS Public Form 8.

1. The report under this regulation must be filed with the Industrial Materials and Manufactured Goods Division, Office of Price Stabilization, Washington 25, D. C., instead of with the Office of Price Stabilization, Washington 25, D. C.

2. In filing OPS Public Form 8 for commodities covered by this regulation, you may disregard items 8 (e) and (g) in the instructions, and the corresponding portions of the report, for any commodity for which, prior to the effective date of this regulation, you have not had a ceiling price established under sections 3, 6 or 7 of the General Ceiling Price Regulation.

3. The examples of "categories" contained in the instructions for OPS Public Form 8 are not applicable to the commodities covered by this regulation. Examples of "categories" under this regulation would be: machine tools, electric motors and electric storage batteries.

4. The definition of "product line" in this regulation differs from that contained in the instructions for OPS Public Form 8. A "product line" is defined in this regulation (Section 19 (a) (1)) as "a group of closely related commodities which differ in such respects as model, size or brand name and which are normally classed together as a product line in your industry. Generally speaking, each commodity in the same product line must serve the same purpose and must be made by the same manufacturing

process from substantially the same materials".

5. The examples of "product line" contained in the instructions for OPS Public Form 8 are not applicable to the commodities covered by this regulation. Examples of "product line" under this regulation would be: fractional horsepower motors, automotive fan belts and crawler tractors.

6. The section number references in items 4 and 5 of the instructions for use of OPS Public Form 8 are incorrect for this regulation. For this regulation the reference in item 4 should be to sections 12 (e) or 13 (b), instead of to 8 (e) or 9 (b); and the section references for item 5 should be to 17 (d), 19 (c), 20 (d) and 18 (c), instead of to 13 (d), 15 (c), 16 (d) and 14 (c).

APPENDIX D

With respect to the following manufacturing materials the change in net cost may be calculated up to August 1, 1951:

(a) Industrial diamonds, including diamond powder and board.

(b) (1) Ferro-tungsten, tungsten metal powder, tungstic acid, tungstic oxide, ammonium para-tungstate, sodium tungstate crystals, and sodium tungstate anhydrous.

(2) High speed tool steels and specialty steels containing tungsten.

(3) Sintered tungsten carbide products and mixed powders used in the manufacture of such products.

(4) Hard facing products containing tungsten.

(5) Pure tungsten and thoriated tungsten products.

[Appendix D added by Amdt. 10; amended by Amdt. 31].

APPENDIX E

GENERAL EXEMPTIONS

(a) Manufacturers whose gross sales do not exceed \$25,000.

(1) This regulation does not apply to sales or deliveries of commodities manufactured or produced by a manufacturer whose gross sales of such commodities did not exceed \$25,000 in his last complete fiscal year ending prior to July 1, 1952, for all manufacturing units under his ownership and control.

(2) This regulation does not apply to sales or deliveries of commodities manufactured or produced by a manufacturer who did not complete a fiscal year prior to July 1, 1952, and whose gross sales of such commodities are not expected to exceed \$25,000 in his first complete fiscal year for all manufacturing units under his ownership and control.

(3) In the event that the gross sales for all manufacturing units under the ownership and control of a manufacturer exempt under the preceding subparagraphs (1) and (2) of this paragraph reach \$25,000 during the manufacturer's first fiscal year ending after July 1, 1952, the exemption under this paragraph ceases immediately.

[Appendix E added by Amdt. 38]

[F. R. Doc. 53-266; Filed, Jan. 8, 1953; 10:44 a. m.]

[General Overriding Regulation 41, Amdt. 1]

GOR 41—ADJUSTMENTS UNDER THE INDUSTRY EARNINGS STANDARD FOR CONSUMER GOODS

MACHINE-MADE HOUSEHOLD AND COMMERCIAL GLASSWARE

Pursuant to the Defense Production Act of 1950, as amended, Emergency Order 10161, and Economic Stabilization Agency General Order No. 2, this amend-

ment to General Overriding Regulation 41 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to GOR 41 (Adjustments Under the Industry Earnings Standard for Consumer Goods) adds machine-made household and commercial glassware to Appendix A of that regulation. The Statement of Considerations to GOR 41 explains in detail what the Industry Earnings Standard is and how that regulation provides for its execution.

The Office of Price Stabilization has recently completed a financial survey of the machine-made household and commercial glassware industry. The survey was undertaken as the result of information submitted by industry members and trade association representatives at various informal meetings which indicated that the level of ceiling prices heretofore in effect for this industry was below the minimum prescribed by the industry earnings standard. Financial data were obtained from a representative group of manufacturers, whose total sales represent over 80 percent of the industry.

Based upon this data, the Director of Price Stabilization has determined that in order for the dollar profits of the industry to meet the industry earnings standard, ceiling prices for the machine-made household and commercial glassware industry will have to be established at 107 percent of the industry's highest selling prices since July 1, 1952. Such ceiling prices will be generally fair and equitable.

This adjustment reflects all increases in the cost of freight that are currently in effect. Manufacturers of glassware covered by this regulation may not, therefore, adjust their ceiling prices under SR 35 to CPR 22 or SR 122 to the GPCR (Adjustments to Reflect Increased Outbound Transportation Costs). Moreover, if they have already done so, they must deduct the amount of such adjustments before taking the adjustment allowed by this regulation.

This adjustment also reflects all increases in materials and wages that are currently in effect. It does not reflect the total wage increases of a recently negotiated wage agreement, but does reflect that portion which, being "administratively approvable" by the Wage Stabilization Board, will be granted retroactively as a matter of course. The balance of that wage increase is not reflected in this adjustment because the decision of the Wage Stabilization Board cannot be anticipated at this time.

Manufacturers continue to have the election to determine their ceiling prices under the various regulations that were issued pursuant to the so-called "Capehart Amendment". If they do so, however, they may not use this regulation. In addition, any manufacturers who have already taken advantage of the "Capehart Regulations" must deduct the amount of those adjustments which are reflected in their selling prices before taking the adjustments allowed by this regulation, since the basis used for determining the amount of the adjustment necessary to meet the "industry earnings

standard" consisted of selling prices at or near ceilings which did not include "Capehart adjustments".

In the formulation of this amendment there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations. In the judgment of the Director, the provisions of this amendment are generally fair and equitable, are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended, and comply with the applicable standards of that act.

AMENDATORY PROVISIONS

General Overriding Regulation 41 is amended as follows:

1. Subparagraphs (2) and (3) of section 2 (a) are amended by adding to each of them the following:

(iii) Machine-made household and commercial glassware.

2. Paragraph (c) of section 5 is amended by adding the following:

(3) Machine-made household and commercial glassware.

3. Appendix A is amended by adding the following:

Commodity	Adjustment period	Percentage adjustment
(c) Machine-made household and commercial glassware. (This term includes only the following: Tumblers, stemware, tableware, kitchenware, cooking ware, decorative ware, and smokers' accessories.)	July 1, 1952, to Jan. 8, 1953, inclusive.	107

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This regulation is effective January 8, 1953.

JOSEPH H. FREEHILL,
Director of Price Stabilization.

JANUARY 8, 1953.

[F. R. Doc. 53-267; Filed, Jan. 8, 1953; 10:44 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 53173]

PART 23—ENFORCEMENT OF CUSTOMS AND NAVIGATION LAWS

RETURN OF PROPERTY STOLEN IN CANADA

1. Article III of the Convention between the United States and Canada for the suppression of smuggling signed on June 6, 1924, and Article III of Executive Order 4306, dated September 19, 1925 (T. D. 41110), provide for the return of property stolen in Canada and seized in this country by customs authorities. To provide that collectors of customs may act on petitions filed under

Article III of Executive Order 4306, a new § 23.34 is added to Part 23, Customs Regulations of 1943 (19 CFR 23.34), reading as follows:

§ 23.34 *Return of property stolen in Canada.* (a) Any person claiming to be the owner of property stolen in Canada, brought into the United States, and seized by customs authorities for violation of law may file with the collector of customs having custody of the property a petition, addressed to the Secretary of the Treasury, for the release thereof. The petition shall be supported by evidence of ownership in the claimant and shall contain a waiver and release of all possible claims against the United States or any officer thereof for compensation or damages incident to the seizure and detention of the property.

(b) If the collector is satisfied that the claimant is the owner of the property and that it was brought into the United States without collusion on the part of the claimant, the collector may release the property for return to Canada upon the payment of all expenses incident to the seizure and detention thereof. In the event of conflicting claims for the property or any doubt as to the claimant's interest in or right to the property, the collector shall submit the matter to the Commissioner of Customs for decision.

2. "Convention between U. S. and Canada for Suppression of Smuggling, T. D. 41110," shall be added as a marginal reference opposite § 23.34 (a).

(R. S. 161, 251, sec. 624, 46 Stat. 759; 5 U. S. C. 22, 19 U. S. C. 66, 1624)

C. A. EMERICK,
Acting Commissioner of Customs.

Approved: January 5, 1953.

JOHN S. GRAHAM,
Acting Secretary of the Treasury.

[F. R. Doc. 53-203; Filed, Jan. 8, 1953; 8:50 a. m.]

TITLE 22—FOREIGN RELATIONS

Chapter I—Department of State

Subchapter A—The Department

[Departmental Reg. 108.167]

PART 41—VISAS: DOCUMENTATION OF NON-IMMIGRANT ALIENS UNDER THE IMMIGRATION AND NATIONALITY ACT

Correction

In F. R. Doc. 52-13324, appearing at page 11568 of the issue for Friday, December 19, 1952, the following changes should be made:

1. In § 41.17 (d) (2) (iv) and (v), "C-1", and "C-2, C-3, and C-4" should read "G-1" and "G-2, G-3, and G-4".

2. In § 41.17 (d) (3), "G-3" should read "G-5".

3. The paragraph following § 41.66 (a) (7) should be designated "(b)" instead of "(8)".

4. The paragraph following § 41.90 (c) (4) should be designated "(d)" instead of "(e)".

[Departmental Reg. 108.168]

PART 42—VISAS: DOCUMENTATION OF IMMIGRANTS UNDER THE IMMIGRATION AND NATIONALITY ACT

Correction

In F. R. Doc. 52-13325, appearing at page 11581 of the issue for Friday, December 19, 1952, the following change should be made:

In § 42.42 (k) (3), "the provisions as of the act" should read "the provisions of the act".

TITLE 32—NATIONAL DEFENSE

Chapter V—Department of the Army

Subchapter E—Organized Reserves

PART 561—ARMY RESERVE

PART 564—ENLISTED RESERVE CORPS

MISCELLANEOUS AMENDMENTS

Part 564 is rescinded; Part 561 is amended by changing the part heading; by rescinding §§ 561.1 to 561.10 and 561.13 and substituting in lieu thereof the following §§ 561.1 to 561.8 and 561.13; and by adding new §§ 561.30 to 561.37, as follows:

GENERAL

§ 561.1 *Composition*—(a) *Authority.*

(1) The reserve components of the Army, as prescribed by section 301, Armed Forces Reserve Act of 1952, are:

(i) Army Reserve.
(ii) National Guard of the United States.

(2) The Army Reserve includes all Reserve officers and Reserve enlisted members of the Army other than those who are members of the National Guard of the United States. (Section 303, Armed Forces Reserve Act of 1952.)

(3) There shall be within each of the Armed Forces of the United States a Ready Reserve, a Standby Reserve, and a Retired Reserve. (Section 204, Armed Forces Reserve Act of 1952.)

(b) *Mission.* The mission of the Army Reserve is to be capable of furnishing, in the event of war or national emergency and at such other times as national security may require:

(1) Units effectively organized, trained, and equipped in time of peace for rapid mobilization, expansion, and deployment; such units to be of the types and numbers to meet the requirements of the Army in excess of those of the Regular Army and the National Guard of the United States.

(2) Additional qualified personnel for necessary replacement and expansion of the Army.

(c) *Civil status.* (1) A member of the Army Reserve, not serving on active duty, is not held or considered to be an officer or employee of the United States solely by reason of his status as such member and is not prevented from accepting employment in any civil branch of the public service, nor from receiving pay incident to such employment in addition to any pay and allowances to which he may be entitled under the laws relating to the Army Reserve. Further,

no law prohibits him from practicing his civilian profession or occupation before or in connection with any department of the Federal Government.

(2) Members of the Army Reserve who are officers and employees of the United States or of the District of Columbia are entitled to a leave of absence from their respective civilian employment without loss of pay, time, or efficiency rating on all days during which they are ordered to duty with troops or field exercises or for instruction for periods not to exceed 15 days in any one calendar year.

(3) Members of the Army Reserve, subject to the approval of the Secretary of the Army, may accept civil employment with and compensation therefor, from any foreign government or any concern which is controlled in whole or in part by a foreign government.

(4) All members of the Army Reserve are subject to order or call to active duty in time of war or national emergency declared by the Congress or when otherwise authorized by law.

(d) *Definition of Army Reserve.* The Army Reserve includes the former Organized Reserve Corps consisting of the Officers Reserve Corps and the Enlisted Reserve Corps as provided for and defined in the National Defense Act of 1916, as amended.

(e) *Branches.* All members of the Army Reserve, except those in the Retired Reserve, are assigned to one of the following branches of the Army:

(1) *Basic branches.* (i) Adjutant General's Corps.

(ii) Armor.

(iii) Army Security.

(iv) Artillery.

(v) Chemical Corps.

(vi) Corps of Engineers.

(vii) Finance Corps.

(viii) Infantry.

(ix) Military Intelligence.

(x) Military Police Corps.

(xi) Ordnance Corps.

(xii) Quartermaster Corps.

(xiii) Signal Corps.

(xiv) Staff Specialist.

(xv) Transportation Corps.

(2) *Special branches.* (i) Judge Advocate General's Corps.

(ii) Chaplains.

(iii) Army Medical Service, consisting of:

(a) Army Nurse Corps.

(b) Dental Corps.

(c) Medical Corps.

(d) Medical Service Corps.

(e) Veterinary Corps.

(f) Women's Medical Specialist Corps.

(3) *Women's Army Corps.*

(Sec. 561.1 issued under Pub. Law 476, 82d Cong.) [AR 140-305, Dec. 5, 1952]

APPOINTMENTS

§ 561.2 *Purpose.* (a) Sections 561.2 to 561.8: (1) Provide a basis for the systematic procurement of male and female Reserve commissioned officers and Reserve warrant officers for service in the Army Reserve.

(2) Establish the requirements common to the various officer procurement programs.

§ 561.3 *Availability.* Appointments are tendered with the expectation that

the person appointed will be available for service in the event of emergency or mobilization. Assurance will be made that applicants have full knowledge of this requirement when submitting applications for appointment.

§ 561.4 *Members of reserve components of other Armed Forces and Public Health Service.* Appointments may be tendered to members of the reserve components of the Air Force, Navy, Marine Corps, Coast Guard, or the Public Health Service who are not on active duty with their parent Armed Force or service if consent has been obtained by such member from his parent Armed Force or service for separation therefrom prior to acceptance of appointment as a Reserve officer of the Army.

§ 561.5 *Authority to tender appointments.* (a) Area Commanders are authorized to tender, pursuant to the direction of the Secretary of the Army, appointments as Reserve commissioned officers of the Army by direction of the President, and to tender appointments as Reserve warrant officers of the Army by direction of the Secretary of the Army to individuals within their respective area commands who qualify under the provisions of officer procurement regulations.

(b) Final action will be taken based upon review of the entire application and supporting records, including the report of the examining board, except as indicated in paragraph (c) of this section.

(c) Appointments for service in the Military Intelligence or Army Security branches, the intelligence career warrant fields (Army Security Agency, Counter Intelligence, Military Attaché), the Military Police career field (criminal investigation), or for appointment in a grade above major will not be made until Department of the Army approval has been obtained from The Adjutant General. Appointments as commissioned officers for service in the Chaplains branch will not be made until verification of the applicant's educational and ecclesiastical qualifications and approval thereof have been received from The Adjutant General. Appointment of noncitizens of the United States as officers will not be made until Department of the Army approval has been received from The Adjutant General.

(d) An individual whose discharge, upon appeal under section 301, act of June 22, 1944 (58 Stat. 286; 38 U. S. C. 693h), was changed to separation "under honorable conditions" is not eligible for appointment solely because of such change, since the action characterizing the service as honorable is determinative only of the type or nature of the discharge. Appointment will be tendered or refused, based upon the facts and merits of the individual case, after examination and evaluation of the entire record of prior service. Appointment will not be made until verification of the applicant's eligibility for such appointment and approval thereof have been received from The Adjutant General.

§ 561.6 *Ineligibles.* The following persons are not eligible for appointment:

(a) Those who are conscientious objectors. If an individual has been a conscientious objector he will be required to furnish an affidavit which will express his abandonment of such beliefs and principles so far as they pertain to his willingness to bear arms and to give full and unqualified military service to the United States, and, where appropriate, he must have demonstrated that he has changed his views by subsequent military service; however, so much of this paragraph as pertains to bearing arms is not applicable to chaplains or to Army Medical Service officers, other than veterinarians.

(b) Those who have a record of conviction by any type of military or civil court for other than a minor traffic violation. The area commander may grant waivers for conviction for other minor violations which are nonrecurrent and which are not deemed prejudicial to performance of duty as an officer. Waivers in the case of any individual who has been convicted of a crime involving moral turpitude will be granted only by the Department of the Army.

(c) Those who have been or are being relieved from active duty or separated from the service for one of the following reasons:

(1) Under other than honorable conditions, except as provided in § 561.5 (d).

(2) For unsatisfactory service.

(3) By reason of resignation in lieu of court martial, reclassification, or any form of corrective or disciplinary action.

(d) Those who are, or have been, members of any foreign or domestic organization, association, movement, group, or combination of persons advocating a subversive policy or seeking to alter the form of Government of the United States by unconstitutional means.

(e) Members of the Regular component of the Navy, Air Force, Marine Corps, Coast Guard, Public Health Service, or the Coast and Geodetic Survey, including those listed on the retired lists (see § 561.4 regarding members of the reserve components of the other Armed Forces).

(f) Cadets, United States Military Academy; midshipmen, United States Naval Academy; and cadets, United States Coast Guard Academy.

(g) Those who are in the military service of a foreign government, or those employed by a foreign government unless approval is obtained from the Department of the Army.

(h) Active or retired officers of the Regular Army.

(i) Retired warrant officers and retired enlisted personnel of the Regular Army, except that such personnel who are former warrant officers may be considered for appointment as Reserve warrant officers and former commissioned officers may be considered for appointment as Reserve commissioned officers.

(j) Female personnel who have a dependent or dependents under 18 years of age or a child or children under 18 years of age, or who have any legal or other custody, control, care, maintenance, or support of any child or children under 18 years of age. Women who have surrendered all rights to custody and con-

trol of such children through formal adoption or final divorce proceedings will be considered eligible if otherwise qualified.

§ 561.7 *Foreign residence.* (a) Civilians without prior service as commissioned or warrant officers who reside in a foreign country are not eligible for appointment.

(b) Civilians with prior service as commissioned or warrant officers who reside in a foreign country are not eligible for appointment unless they meet one of the following requirements:

(1) Reside in a country in which the United States has troops stationed with the consent of the country concerned.

(2) Reside in a country in which the United States is furnishing, at the time, a military mission, advisory group, or a similar group of military personnel.

(3) Are employed by the United States Government and are on duty with an embassy, legation, or consular office of the United States Government.

(4) Can furnish evidence of having obtained the official consent of the country in which they reside to accept appointment as a Reserve officer in the Army of the United States. Application for such consent will be made through diplomatic channels.

(5) Reside in an occupied area.

§ 561.8 *Eligibility.* The following requirements are common to all Reserve officer procurement programs for service in the Army Reserve unless otherwise indicated in the regulations governing the particular program:

(a) *Age requirements.* (1) Male applicants must be at least 18 years of age for initial appointment.

(2) Female applicants must be at least 21 years of age for initial appointment.

(3) Maximum ages for appointment are shown in regulations governing specific procurement programs.

(b) *Branch assignment restrictions for males and females—*(1) *Females.*

(i) Applicants for appointment as Reserve commissioned officers are eligible for assignment in the following branches only: Army Nurse Corps, Dental Corps, Medical Corps, Veterinary Corps, Medical Service Corps, Women's Medical Specialist Corps, and Women's Army Corps.

(ii) Applicants for appointment as Reserve warrant officers may be assigned to any classification for which they can qualify.

(2) *Males.* Male applicants are not eligible for assignment in the following branches: Army Nurse Corps, Women's Medical Specialist Corps, and Women's Army Corps.

(c) *Citizenship requirements.* (1) A male applicant must be a citizen of the United States, its territories, or possessions, or have made a declaration of intention to become a citizen thereof, except that a noncitizen who had prior service in the Armed Forces of the United States or who is serving in the active military service of the Army is eligible for appointment subject to his meeting the following requirements:

(i) Must be residing, or serving in the Army, within the continental United States.

(ii) Must have lawfully entered the United States for permanent residence, except that an individual in the active military service of the Army who entered such service outside the United States and was ordered to the United States by competent authority for military duty is exempt from this requirement.

(2) A female applicant must be a citizen of the United States, its territories, or possessions.

(d) *Mental requirements.* Each applicant must have obtained a score of 110 or higher in the Army General Classification Test (AGCT), the General Classification Test (GCT), or Aptitude Area I, or have evidence of satisfactory completion of 120 credit hours at a nationally or regionally accredited college or university, except the following:

(1) Former officers and warrant officers.

(2) Applicants for appointment for assignment to the Army Nurse Corps and Women's Medical Specialist Corps.

(e) *Educational requirements.* Each applicant for appointment as a commissioned officer must be a graduate of a high school or school of similar level, or must pass the General Educational Development Test (high school level or higher) of the United States Armed Forces Institute. Each applicant for appointment as a Reserve warrant officer must have sufficient education and practical experience to insure satisfactory performance of the duties of the classification for which application is made.

(f) *Moral requirements.* Each applicant must have high moral character and personal qualifications.

(g) *Leadership requirements.* Leadership qualifications and ability to work with groups will be considered in this connection. Applicants for appointment as warrant officers must have demonstrated positive qualities of leadership.

(h) *Physical requirements.* (1) For male applicants as prescribed in AR 40-105 (Army regulations pertaining to physical examinations).

(2) For female applicants as prescribed in AR 40-105 and in paragraph 4, AR 40-100 (Miscellaneous physical examinations).

(i) *Security check and cryptographic clearance.* (1) A minimum of a favorable National Agency check is required for each applicant for service in the Military Intelligence branch or intelligence career warrant field.

(2) A cryptographic clearance initiated upon request of the Chief, Army Security Agency, is required for each applicant for service in the Army Security branch or career warrant field.

(3) Security check of any other applicant for appointment may be ordered by area commanders at their discretion.

(4) Applicants for appointment for service in the Military Intelligence branch, or in the Army Security branch will be informed that processing of their applications may require up to 12 months.

§ 561.13 *Applications—*(a) *Submission.* Applications for appointment will be submitted to the area commander of permanent address or in case of personnel on active duty with the Army, to the

area commander in whose jurisdiction they are serving through channels.

(b) *Applications and allied papers.* (1) Blank forms may be obtained from any Army Reserve instructor, the chief of any military district, or commanding officer of any military installation. The documents listed below constitute the application and allied papers, except that additional documents required for a particular branch, will be prescribed in the special regulations governing such appointments.

(2) Applicants will submit the following forms and documents, except that applicants of the categories indicated in subparagraphs (3) through (7) of this paragraph will submit the forms indicated under those subparagraphs.

(i) DA Form 170 (Application for Appointment as a Reserve Officer of the Army) in duplicate.

(a) The branches for which application is being made will be indicated in order of priority in the block labeled "branch for assignment" on the application form.

(b) Plain sheets of paper, attached to the application, may be used for inclusion of additional information for which there is insufficient space on the application form.

(ii) Standard Forms 88 and 89 in duplicate, or certificate in lieu when authorized.

(iii) Documentary evidence of educational qualifications. Consolidated transcripts of all college or university work should be properly certified by the college or university at which such work was accomplished (photostatic or true copies are acceptable).

(iv) Photostatic or true copies of all discharge or separation certificates if individual had prior military service.

(v) DD Forms 98 and 98a (Loyalty Certificate for Personnel of the Armed Forces).

(vi) DD Form 398 (Statement of Personal History) in duplicate. Applicants for the Military Intelligence and Army Security branches, or for detail to these branches when authorized, or applicants who are not citizens of the United States, will submit this form in triplicate, together with one completed copy of Federal Bureau of Investigation applicant type finger-print card. Applicants for Military Intelligence for CIC specialization will submit three full length photographs (approximately postcard size).

(vii) Statement in writing from applicants applying for appointment to fill an existing vacancy in a unit of the troop program that if appointed they will participate in all training of the unit to which assigned, unless excused by proper authority from specific assemblies.

(viii) Statement in writing from applicants applying for appointment that they understand that if appointed a Reserve commissioned officer of the Army they are subject to being ordered to active duty at any time in the event of mobilization or any emergency requiring their services.

(ix) Individuals who are not citizens of the United States by birth will submit a certificate signed by an officer of the Army or a notary public, reading substantially as indicated in (a), (b), (c), or

(d) of this subdivision, as appropriate. In no circumstances will facsimiles or copies, photostatic or otherwise, of naturalization certificates, declarations of intention, certificates of citizenship, or alien registration receipt cards be made as the reproducing of these certificates or any parts thereof constitutes a felony. See act of June 25, 1948 (62 Stat. 767; 18 U. S. C. Supp. V, 1426 (h)).

(a) For those who are citizens by naturalization.

I certify that I have this date seen the original certificate of citizenship, No. _____ (or certified copy of the court order establishing citizenship) stating that _____

(Name)
was admitted to United States citizenship by the court of _____ at _____

(City and State)

on _____

(Date)

(b) For those who claim citizenship through naturalization of parent.

I certify that I have this date seen the original certificate of citizenship, No. _____ issued by the Immigration and Naturalization Service, Department of Justice, stating that _____ acquired citizenship on _____

(Name)

(Date)

(c) For those who have declared their intention of becoming a citizen of United States.

I certify that I have this date seen a copy of the declaration of intention to become a citizen of the United States, No. _____, made by _____ on _____, in the court of _____

(Name) (Date)
This copy (City and State)

was impressed with the seal and contained the signature of the clerk of the _____ court at _____

(City and State)

Note: Declarations of intention are valid for 7 years.

(d) For noncitizens who have not declared their intention of becoming a citizen of United States.

I certify that I have this date seen the original Alien Registration Receipt Card Form No. I-151, bearing No. _____, issued to _____ on _____

(Name) (Date)

Or if individual does not possess the Alien Registration Receipt Card Form No. I-151, the army commander processing the application will communicate with the District Director, Immigration and Naturalization Service of the district in which the alien's residence is located and request a statement as to lawful entry of the individual into the United States for permanent residence. Statement of lawful entry will be made a part of the application. The above is not required for a noncitizen serving in the active military service in the Army within the United States who entered such service outside the United States and was ordered by competent authority to the United States for military service. For such individual the army commander processing the application will verify the fact that the individual was ordered to the United States by competent military orders, and a statement of such verification will be attached to the ap-

plication stating such details as classification will permit.

(3) For applicants who are former commissioned officers or warrant officers of any component of the Army of the United States, or of the Army of the United States without component.

(i) Forms required by subparagraph (1) of this paragraph, except that documentary evidence of educational qualifications will be submitted only when required by special regulations governing the particular branch.

(ii) In addition to photostatic copies of appropriate separation certificates, a personal certificate that relief from active duty or separation was not a result of unsatisfactory service, reclassification proceedings, board or court action, or as a result of resignation in lieu thereof.

(4) For warrant officers or enlisted personnel who have not had prior commissioned service and who are serving in any component of the Army of the United States or of the Army of the United States without component.

(i) Forms required by subparagraph (1) of this paragraph.

(ii) Photostatic copy of DA AGO Form 152 (Army Extension Courses—Certificate of Completion of Course Series) when required.

(5) For members of the reserve components of the Navy, the Air Force, the Marine Corps, the Coast Guard, or the Public Health Service.

(i) Forms required by subparagraph (1) of this paragraph.

(ii) A statement signed by an official of the parent Armed Force or service authorized to accept resignations that the applicant will be released from his current status if tendered an appointment as a Reserve commissioned officer of the Army.

(6) For personnel of the National Guard of the United States.

(i) Forms required by subparagraph (1) of this paragraph.

(ii) A statement from the State adjutant general that if found qualified for appointment as a Reserve commissioned officer of the Army for service in the Army Reserve, separation from the National Guard will be accomplished.

(Secs. 561.2 to 561.8 and § 561.13 issued under Pub. Law 476, 82d Cong.) [AR 140-105, Nov. 28, 1952; SR 140-105-1, Nov. 28, 1952]

ENLISTMENTS

Sec.	
561.30	Purpose and application.
561.31	Eligibility.
561.32	Ineligibility.
561.33	Grade.
561.34	Branches to which initial assignment may be made.
561.35	Periods of enlistment and reenlistment.
561.36	Certificate of discharge required for enlistment and reenlistment.
561.37	Separation from service.

AUTHORITY: §§ 561.30 to 561.37 issued under Pub. Law 476, 82d Cong.

SOURCE: §§ 561.30 to 561.36 contained in SR 140-107-1, Dec. 8, 1952; § 561.37 contained in SR 140-177-1, Nov. 24, 1952.

ENLISTMENTS

§ 561.30 Purpose and applicability. (a) Under the Armed Forces Reserve Act of 1952 (Pub. Law 476, 82d Cong.) individuals are enlisted as Reserve enlisted

members of the Army for service in the reserve components. The reserve components are the National Guard of the United States and the Army Reserve. Sections 561.30 through 561.36 prescribe the standards and procedures for enlistment and reenlistment of Reserve enlisted members of the Army for assignment to, and service in, the Army Reserve.

(b) Unless otherwise specified §§ 561.30 through 561.36 apply equally to male and female personnel.

§ 561.31 Eligibility—(a) General. Any individual who meets the requirements prescribed in §§ 561.30 through 561.36 may be enlisted or reenlisted for service in an authorized branch of the Army Reserve. Male applicants with or without prior military service and those female applicants who have had prior military service may be enlisted for a specific position vacancy in a unit or for an authorized branch of the Army Reserve unassigned. Female applicants without prior military service must be specifically enlisted for assignment to a T/O & E, T/D, or Army Reserve training unit, and must agree in writing to such assignment and training in positions authorized to be filled by female personnel. Female personnel will be enlisted or reenlisted only for service in the Women's Army Corps branch of the Army Reserve. Assignment of personnel who are not enlisted to fill vacancies in specific units will be governed by current regulations pertaining to assignment. Applicants who are members of the Reserve of other Armed Forces may be enlisted as reservists of the Army, provided:

(1) Their applications are submitted through, and approved by, officials of their Armed Force authorized to accept resignations or otherwise effect separations; or

(2) They submit a certificate, signed by an official of their Armed Force authorized to accept resignations or otherwise effect separation, that the applicants will be released from their current status if enlisted as reservists of the Army.

(b) Citizenship. Applicants must be citizens of the United States, its Territories or possessions, or have filed legal declaration of intention to become citizens of the United States, its Territories or possessions, except that other persons who have had prior service in the Armed Forces of the United States (or the National Security Training Corps) are eligible for enlistment. See section 217a, Armed Forces Reserve Act of 1952.

(c) Permanent home address. Each applicant must report a permanent home address within the continental limits of the United States or its possessions or Territories, or in overseas occupied areas.

(d) Age—(1) Original enlistments. Except as shown in subparagraph (3) of this paragraph each male applicant without prior service in any of the Armed Forces of the United States must have reached his seventeenth birthday (paragraph (d) (1) (ii) of this section) and not have reached his thirty-fifth birthday, and each female applicant without prior service in any of the Armed Forces of the United States must have

reached her eighteenth birthday and not have reached her thirty-fifth birthday.

(i) In the case of a male applicant who claims to be 18 or more years of age or a female applicant who claims to be 21 or more years of age but whose personal appearance indicates that he or she may be under the required age, the recruiting officer will verify age by requiring the applicant to present a birth certificate, or a statement from the State Registrar of Vital Statistics or other similar State official. When the age of an applicant cannot be verified by a birth certificate, and the State Registrar of Vital Statistics or other similar State, municipal, or Government official states that there is "no record" of birth of the individual, action will be taken to obtain substantiating data regarding age in the following sequence:

- (a) Baptismal record or certified copy.
- (b) Sworn statement of one or both parents or legal guardian supported by:
- (1) Notarized copy of the school record from the first school attended, showing date of birth or age at attendance, or
- (2) Certificate from the physician in attendance at birth.

(i) A male applicant who has reached his seventeenth but not his eighteenth birthday, or a female applicant who has reached her eighteenth but not her twenty-first birthday, will be required to furnish written consent of his or her parents or guardian. If the applicant has neither parents nor guardian, a statement to that effect will be included under "Remarks" on DA Form 165. The written consent prepared on DD Form 373 (Consent, Declaration of Parent or Legal Guardian) will:

- (a) Be signed by both parents, but the consent of one parent may be accepted if the other is absent for an extended period of time. If parents are divorced the consent of the parent having custody of the applicant is sufficient. In such cases, however, the divorced parent must furnish proof of custody. Enlistment is not authorized if either parent objects.
- (b) Be signed in duplicate and fastened securely to the original and duplicate copies of the enlistment record.

(2) *Applicants with prior service*—(i) *Through age 34.* Applicants with prior service in any of the Armed Forces of the United States may be enlisted or reenlisted through age 34, without regard to the amount of such prior service.

(ii) *Age 35 through 54.* Enlistments are authorized for those individuals 35 years of age and over but less than 55 years of age who have had a minimum of 3 years' prior active service in the Armed Forces (at least 3 months of which must have been in the Army or Army Air Corps), provided their age at the time of application for such enlistment is not greater than 35 plus the length of their prior active military service in completed years of honorable service. A former member of the Air Force, Navy, Marine Corps, or Coast Guard without prior Army or Army Air Corps service who is 35 years of age or older, may not be enlisted as a Reserve enlisted member of the Army.

(iii) *Individuals discharged from the Regular Army.* Male applicants last discharged from the Regular Army with

an honorable or general discharge and female applicants last discharged with an honorable discharge may be enlisted as reservists of the Army within 180 days after date of such discharge or relief from active duty, without regard to maximum age restrictions prescribed in subdivisions (i) and (ii) of this subparagraph.

(iv) *Individuals discharged from the Army Reserve and National Guard of United States.* Male applicants last discharged from the Army Reserve or the National Guard of the United States with an honorable or general discharge (§ 561.32 (e)) and female applicants last discharged with an honorable discharge may be enlisted as reservists of the Army within 180 days after the date of such discharge, without regard to the maximum age restrictions prescribed in subdivisions (i) and (ii) of this subparagraph, provided they are otherwise eligible for enlistment as reservists of the Army.

(v) *Officers and warrant officers, Army of the United States.* Officers and warrant officers of the Army of the United States without component, who were relieved from active duty under honorable conditions are eligible for enlistment or reenlistment as reservists of the Army, provided they meet the age and service requirements specified above for applicants with prior service.

(3) *Applicants with technical skills.* Exception to the foregoing age limitations may be made for applicants, with or without prior service, possessing technical skills needed in the Army Reserve, who may be accepted for enlistment or reenlistment after reaching their thirty-fifth birthday and prior to reaching their forty-fifth birthday when specifically authorized by the chief of a military district or higher authority. An individual originally enlisted under this provision will be reenlisted without special authorization, provided such reenlistment is accomplished within 90 days after discharge from a prior enlistment.

(e) *Mental qualifications.* Each male applicant without prior military service must attain a percentile score of 10 or higher on the Armed Forces Qualification Test. A female applicant without prior military service must attain a percentile score of 49 or higher on the test.

(f) *Educational requirements for female applicants*—(1) *Nonprior service.* Each female applicant without prior military service must have a certificate of graduation from a high school or must present substantiating data that she has successfully completed the high school level General Educational Development (GED) Test.

(2) *Prior service.* Female applicants with prior military service must have completed a minimum of 2 years of high school.

(g) *Dependents.* Male applicants having dependents are eligible for enlistment or reenlistment if otherwise qualified, only if entitled to enlist in grade E-4 or higher, or under circumstances equivalent to those prescribed in pertinent special regulations governing enlistment in the Regular Army of male applicants with dependents, except that applicants without prior active service

who have four or more dependents are not eligible for enlistment. Applicants for immediate reenlistment who have four or more dependents and who have not less than 3 years' active duty from which released in grade E-4 or higher will be required to sign waiver, as shown below, of any deferment from active duty and discharge for hardship because of dependency status.

State of _____ ss:

City, town, or military post _____

I, _____, applicant for enlistment as a reservist of the Army understanding that if enlisted I am subject to being ordered to active duty, do hereby waive any right I might have to deferment from active duty or discharge by reason of dependency status.

(Signature) _____

Sworn to and subscribed before me this _____ day of _____ 19____

(Signature) (Army Reserve recruiting officer or officer administering oath) _____

(h) *Individuals previously discharged because of hardship.* Applicants last discharged because of hardship are eligible for reenlistment if otherwise qualified, provided they furnish proof that the hardship no longer exists.

§ 561.32 *Ineligibility.* The following individuals are ineligible for enlistment or reenlistment as reservists of the Army even though they meet the requirements of § 561.31. No waivers will be granted except as otherwise indicated.

(a) Any person who has been ordered to report for preinduction physical and mental examinations under the Universal Military Training and Service Act, as amended.

(b) Any officer member of the Army Reserve, any member of the Regular Army, National Guard of the United States, Public Health Service, or Coast and Geodetic Survey and any member of the Air Force, Navy, Marine Corps, or Coast Guard (including reserve components thereof), except under conditions stated in § 561.31 (a) (1) and (2).

(c) Cadets at the United States Military Academy, United States Naval Academy, and the United States Coast Guard Academy.

(d) Insane or habitually inebriated persons.

(e) Male applicants with prior service in any of the Armed Forces who were last separated from such service under other than honorable conditions or whose separation was because of unfitness, inaptitude, unsuitability, or other allied causes.

(f) Persons who have been imprisoned under sentence of a civil court for other than a felony. Each area commander is authorized to waive this disqualification in the case of applicants for enlistment as reservists of the Army within the area command who have served only short sentences for minor offenses and have lived for at least 6 months subsequently as law abiding members of a civil community, but only if in the opinion of the area commander the applicant will be an asset to the service. Notation of such waivers will be made under "Remarks" on the enlistment record and a copy of the report of investigation on which the

area commander's waiver is predicated will be attached to the original copy of the enlistment record. (For personnel with prior extended active service only offenses committed since last period of such service are considered disqualifying.)

(g) Persons convicted of felonies and/or persons who have criminal charges filed and pending against them alleging a violation of Federal, State, or territorial statute who as an alternative to further prosecution, indictment, trial, or incarceration for such violation are granted a release from the charge by a court on the condition that they will apply and are excepted for enlistment. (For prior service personnel, only those felonies committed subsequent to date of separation from last period of honorable extended active service are considered disqualifying.)

(h) Persons under parole, probation, or suspended sentence from any civil court.

(i) Persons having frequent difficulty with law enforcement agencies, and/or having criminal tendencies, a long history of antisocial behavior, questionable moral character, or traits of character which render them unfit to associate with others. Each area commander (after complete investigation through law enforcement agencies) may waive this disqualification for enlistment as a reservist of the Army. Notation of waiver will be made under "Remarks" on the enlistment record, and report of investigation and authority for enlistment will be attached to the original copy of enlistment record. No waiver will be granted female applicants.

(j) Homosexuals.

(k) Persons discharged from the Army, Navy, Air Force, Marine Corps, or Coast Guard whose total time lost under Manual for Courts-Martial, 1951 (E. O. 10214, 16 F. R. 1303), section 6 (a), appendix 2b (or time lost under similar circumstances in the Navy, Coast Guard, or Marine Corps) was 60 days or more during their last period of enlistment or active service. In meritorious cases, waivers may be granted by area commanders, and notation of waiver entered under "Remarks" on the enlistment record.

(l) Persons who have made application for retirement, or persons who are drawing retirement pay from any of the Armed Forces, whether retired for disability or length of service. (Applicants who are drawing pension, disability allowance, or disability compensation from the United States Government may be enlisted as reservists of the Army if physically qualified.)

(m) Female personnel with a dependent or dependents under 18 years of age or a child or children under 18 years of age, or who have any legal or other custody, control, care, maintenance, or support of any child or children under 18 years of age. Women who have surrendered all rights to custody and control of such children or dependents through formal adoption or final divorce proceedings are eligible.

(n) Male personnel having four or more dependents, expect that men with not less than 3 years' prior service from

which released in grade E-4 or higher may be accepted for immediate reenlistment. They will be required to sign the waiver as provided in § 561.31 (g).

(o) Applicants who admit or whose available records show they have at any time engaged in disloyal or subversive activities.

(p) Applicants who refuse to sign the Loyalty Certificate for Personnel of the Armed Forces (DD Forms 98 and 98a).

(q) Female applicants who were last separated from any of the Armed Forces with other than honorable discharge.

(r) Applicants who indicate in any form whatsoever conscientious opposition to bearing of arms.

§ 561.33 *Grade.* Enlistments will be in the grade of private (grade E-1) except that:

(a) Former commissioned officers and warrant officers may be enlisted in the grade of master sergeant provided they enlist within 180 days after relief from active duty or discharge under honorable conditions. Those enlisting after the expiration of the 180-day period may be enlisted in grades commensurate with their prior training and experience as authorized in pertinent special regulations.

(b) Former enlisted personnel of the United States Army, Navy, Air Force, Marine Corps, or Coast Guard, or reserve components thereof will be enlisted in the grade or equivalent grade (Navy, Naval Reserve, Coast Guard Reserve) held at the time of relief from active duty or discharge, provided they enlist within 180 days after relief from active duty or discharge, unless eligible for higher grade under paragraph (g) of this section and qualify for an appropriate military occupational specialty in the Army Reserve. Those enlisting after the expiration of the 180-day period may be enlisted in grades commensurate with their prior training and experience as authorized in pertinent special regulations.

(c) Reenlistment of former enlisted reservists who were discharged from the Army Reserve for the purpose of enlistment in the Regular Army is authorized in the highest grade held at time of discharge from the Regular Army, or the grade held in the Army Reserve immediately prior to enlistment in the Regular Army, whichever is higher, provided a lower grade held at time of discharge from the Regular Army was not due directly or indirectly to reduction for cause and such reenlistment is effected within 180 days from date of last discharge.

(d) Reenlistment after discharge from Army Reserve will be as follows:

(1) Individuals who were members of Reserve units and who reenlist within 30 days from date of last discharge from the Army Reserve may be reenlisted for their own vacancy.

(2) Individuals who reenlist within 180 days from date of last discharge from the Army Reserve may be reenlisted in the grade held at time of discharge.

(3) Individuals who reenlist after the expiration of the 180-day period following date of last discharge from the Army

Reserve may be reenlisted in grades commensurate with their prior training and experience as authorized in pertinent special regulations.

(e) Applicants who have successfully completed the following number of years of ROTC instruction and whose termination of such instruction was under honorable conditions and for reasons other than academic failure are authorized the following scale of grade eligibility:

(1) *Senior ROTC instruction.*

Years:	Grade
1.....	Private (E-2).
2.....	Private, first class.
3 or more.....	Corporal.

(2) *Junior ROTC instruction.* When recommended by a professor of military science and tactics and if otherwise qualified, an ROTC cadet upon successful completion of 2 years of junior ROTC training will be authorized to enlist in the grade of private (E-2) or upon successful completion of the junior ROTC in the grade of private, first class.

(f) Applicants who have had satisfactory active service in the Army, Navy, Air Force, Coast Guard, or Marine Corps of at least 4 months and who are otherwise qualified and acceptable, if not eligible to enlist in a higher grade, will be enlisted in grade of private (E-2).

(g) Applicants without prior active military service may, based on their civilian technical skills, be enlisted in a grade higher than E-1 upon approval of the chief of the military district concerned, provided they are specifically enlisted for a vacancy in a unit undergoing training, and agree in writing to such assignment and training. Applicants with prior active service may be enlisted similarly in a grade higher than that held upon discharge if the civilian technical skills acquired since discharge or relief from active duty merit such higher grade.

(h) Individuals enlisted as reservists of the Army will be permitted to retain Army ratings such as parachutist, combat infantryman, and similar technical designations as authorized and appropriate notations will be made on their records to reflect such actions.

(i) For the purpose of accepting assignment to an existing vacancy in an Army Reserve unit, any applicant may be enlisted in a grade lower than the grade for which he is eligible, provided he agrees in writing to accept enlistment in such lower grade.

§ 561.34 *Branches to which initial assignment may be made.* (a) Male enlistees normally will be initially assigned to the branch of the Army Reserve for which best qualified. However, a reservist on enlistment or reenlistment, if he so elects, may be assigned to another branch provided he is qualified for service in the branch elected. The branches to which male reservists may be assigned are:

- (1) Adjutant General's Corps.
- (2) Armor.
- (3) Army Medical Service.
- (4) Army Security.
- (5) Artillery.
- (6) Chemical Corps.
- (7) Corps of Engineers.

- (8) Finance Corps.
- (9) Infantry.
- (10) Military Intelligence.
- (11) Military Police Corps.
- (12) Ordnance Corps.
- (13) Quartermaster Corps.
- (14) Signal Corps.
- (15) Staff Specialist.
- (16) Transportation Corps.

(b) Female enlistees will be assigned only to the Women's Army Corps branch of the Army Reserve.

(c) A member of the Army Reserve discharged from the inactive status list may reenlist if otherwise qualified, provided reenlistment is accomplished on the day following his separation.

(d) Members of the Retired Reserve may reenlist provided reenlistment is accomplished on the day following separation. Reservists reenlisted for assignment to the Retired Reserve will not be required to undergo physical examination.

§ 561.35 Periods of enlistment and reenlistment. Enlistments and reenlistments as reservists of the Army for service in the Army Reserve normally will be for 3 years, except as listed in paragraphs (a) through (d) of this section.

(a) All enlistments in force at the beginning of a war or national emergency hereafter declared by the Congress or entered into during the existence of war or such national emergency, which otherwise would expire, shall continue in force until 6 months after the termination of the war or national emergency, whichever is later, unless sooner terminated by the Secretary of the Army.

(b) A male enlistee who upon enlistment has not attained the twenty-sixth anniversary of his birth, and who has not completed or been relieved of a period of duty entered upon under the provisions of section 4 (d) (1), (2), or (3) of the Universal Military Training and Service Act, as amended, incurs the 8-year service obligation imposed by section 4 (d) (3) of that act, and will be enlisted for a period of a number of whole years which will cover the period of his obligated duty, except that in no case will enlistment be made for a period of less than 3 years.

(c) When an enlisted member of a reserve component is designated as an officer candidate for temporary duty in such category, his enlistment period is extended beyond the normal expiration date thereof by a period equal to the time he may remain in such officer candidate status.

(d) Members of the Retired Reserve may be reenlisted for an indefinite period.

§ 561.36 Certificate of discharge required for enlistment or reenlistment. Persons applying for enlistment or reenlistment as reservists of the Army for service in the Army Reserve who have had prior military service will present their last certificate of discharge to the recruiting officer who will enter thereon the date, place, and period of the new enlistment. In the event that the applicant has lost or misplaced his last certificate of discharge or when otherwise necessary, verification of his Army service will be obtained by the recruiting

officer from The Adjutant General, or from the station or organization from which discharge is claimed prior to accomplishing enlistment or reenlistment. For duty other than in the Army, verification will be obtained by the recruiting officer from proper officials of the service concerned prior to accomplishing enlistment or reenlistment.

§ 561.37 Separation from service—
(a) *Discharge of reservists while on active duty.* The discharge of enlisted reservists while on active duty will be governed by regulations pertaining to enlisted members of the Regular Army, except for those discharged to reenlist as Reserve enlisted members of the Army for service in the Army Reserve, in which case §§ 561.30 through 561.36 also will apply.

(b) *Discharge from Reserve duty status.* Except for enlisted personnel of the Regular Army transferred to the Army Reserve, placed on the retired list of the Regular Army, and subsequently discharged upon completion of 30 years' service, enlisted members of the Army Reserve will be discharged as follows:

(1) *By order of the Secretary of the Army.* Such authority may be given either in individual cases or by an order applicable to all cases specified in the order.

(2) *By direction of area commanders or such officer or officers as may be designated by them for that purpose.* (i) Upon expiration of term of enlistment or period of service. The period of service required of a male reservist who enlisted in the Army Reserve subsequent to 19 June 1951 and while under 26 years of age is 8 years. A reservist of this category will not be discharged at the end of his 3-year term of enlistment but will have his period of service administratively extended to eight years to fulfill the obligation imposed by section 4 (d) (3), Universal Military Training and Service Act (see also sec. 813, Armed Forces Reserve Act of 1952). Except as otherwise provided herein, a discharge certificate will not be issued to the reservist until he has completed this obligation.

(ii) To permit immediate reenlistment of reservists who are qualified for reenlistment:
(a) At any time during the last 90 days of current enlistment, or
(b) To meet length of service requirements for active duty tour, including active duty, active duty training, attendance at service schools, etc. See §§ 561.30 through 561.36. Date of discharge will be the day immediately preceding the date of reenlistment. The discharge certificate will not be delivered to the individual until after reenlistment is effected.

(iii) Upon enlistment, induction, or acceptance of appointment as a member of any of the Armed Forces or as a Reserve enlisted member or officer thereof. The discharge of a reservist is unnecessary to effect his transfer to the National Guard of the United States. Discharge upon enlistment or acceptance of appointment as provided in this paragraph does not relieve the obligated reservist of the remainder of any obligation he may

have incurred pursuant to section 4 (d) (1), (2), or (3), Universal Military Training and Service Act, as amended.

(iv) Upon acceptance of appointment as a commissioned officer or warrant officer in the Army Reserve.

(v) Upon appointment to the United States Military, Naval, or Coast Guard Academy.

(vi) When permanently physically disqualified for active service and ineligible for transfer to the Retired Reserve. Certificate from physician setting forth the nature of specific physical defect, or defects, will be acceptable evidence, provided the defects listed are considered to be disqualifying. Exception will be made for reservists who are otherwise qualified and whose physical defects, as determined by the Secretary of the Army, will not interfere with the performance of general or special duties to which they may be assigned. See section 232, Armed Forces Reserve Act of 1952.

(vii) Upon presentation of conclusive evidence in accordance with §§ 582.1 and 582.2 of this chapter that genuine personal hardship exists and discharge will be to the best interest of the Government.

(viii) Upon conviction by a civil court resulting in a sentence to confinement for more than 1 year.

(ix) For disloyal and subversive activity.

(x) Upon acceptance of appointment in the Coast and Geodetic Survey or the Public Health Service.

(xi) Because of inaptitude or unsuitability.

(xii) Because of evidence of unfitness.

(xiii) Because of homosexuality.

(xiv) For fraudulent enlistment.

(xv) For inability to locate the reservist after reasonable effort or failure of the reservist to reply to official communications.

(xvi) Upon being found not available for service. A reservist discharged under this provision will be advised that he may apply for a new enlistment in accordance with §§ 561.30 through 561.36, should the cause for his not being available for service be removed.

(xvii) In the case of female personnel not on active duty who have a dependent or dependents under 18 years of age, or a child or children under 18 years of age, or who have any legal custody, control, care, maintenance, or support of any child or children under 18 years of age. Women who have surrendered all rights to custody and control of such children or dependents through formal adoption or final divorce proceedings will not be discharged under these provisions.

(xviii) For minority. In the case of male personnel under 18 years of age and female personnel under 21 years of age.

(xix) For dependency. Upon request of reservists and upon presentation of a sworn affidavit listing four or more dependents. Only the following are considered to be dependents for discharge under this section: Lawful wife, unmarried legitimate children under 21 years of age, and dependent parents, provided each dependent parent receives over one-half of his or her support from the re-

servist. No other relatives qualify as dependents for this purpose. Each parent claimed as a dependent also must submit a sworn affidavit that the enlisted applicant did in fact for at least three consecutive months immediately prior to request for discharge contribute over one-half of the support of such parent. If, as proof of dependency, the applicant submits sworn affidavits acceptable to the authority authorized to take final action he will be discharged from his status as a Reserve enlisted member of the Army by reason of dependency and hardship. The failure of any reservist who has four or more dependents to request discharge under the provisions of this option will be considered as sufficient evidence that the individual is available to be ordered into active military service, if otherwise qualified.

(xx) A noncitizen inducted under section 4 (a), Universal Military Training and Service Act, as amended, who has not declared his intention to become a citizen of the United States will, upon completion of his period of active duty be discharged, unless such individual specifically requests transfer to the Army Reserve. An individual in this category previously transferred to the Army Reserve may be discharged upon request.

(xxi) Upon request of reservist when in the opinion of the area commander the discharge will be to the best interest of the Government.

[SEAL] WM. E. BERGIN,
Major General, U. S. Army,
The Adjutant General.

[F. R. Doc. 53-199; Filed, Jan. 8, 1953;
8:49 a. m.]

TITLE 46—SHIPPING

Chapter II—Federal Maritime Board, Maritime Administration, Depart- ment of Commerce

[General Order 22, Third Revision, Amdt. 2,
WSA Function Series]

PART 310—MERCHANT MARINE TRAINING

SUBPART A—REGULATIONS AND MINIMUM STANDARDS FOR STATE MARITIME ACADE- MIES

FEDERAL AID AND FINANCES

Effective July 1, 1952, subdivision (iii) of subparagraph (5) of paragraph (a) in § 310.2 *Federal aid and finances* contained in General Order 22, Third Revision, WSA Function Series published in the FEDERAL REGISTER issue of October 20, 1949 (14 F. R. 6401) is amended by deleting the following sentence from the last undesignated paragraph: "If the per capita cost of the cadets is \$650.00 no more than 38 cadets can be assigned by the Bureau of Maritime Services, to any one academy. Also if 38 candidates were nominated to any academy, no more candidates could be approved by the Bureau of Maritime Services until these men had graduated from that academy."

(Sec. 4, 55 Stat. 607, 34 U. S. C. 1123d)

Dated: January 5, 1953.

[SEAL] A. W. GATOV,
Maritime Administrator.

[F. R. Doc. 53-213; Filed, Jan. 8, 1953;
8:52 a. m.]

demand but the allotment for any State may not be increased under this provision above the 1947 harvested acreage of peanuts for such State. The total increase so determined shall be apportioned among such States for distribution among farms producing peanuts of such type or types on the basis of the average acreage of peanuts of such type or types in the three years immediately preceding the year for which the allotments are being determined. The additional acreage so required shall be in addition to the national acreage allotment, the production from such acreage shall be in addition to the national marketing quota, and the increase in acreage allotted under this provision shall not be considered in establishing future State, county, or farm acreage allotments.

Prior to determining whether the supply of any type or types of peanuts for the 1953-54 marketing year will be insufficient to meet the estimated demand for cleaning and shelling purposes, consideration will be given to any data, views, and recommendations relating thereto, which are submitted in writing to the Director, Fats and Oils Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C. All written submissions must be postmarked not later than 10 days after publication of this notice in the FEDERAL REGISTER.

Done at Washington, D. C., this 6th day of January 1953.

[SEAL] LIONEL C. HOLM,
Acting Administrator, Produc-
tion and Marketing Adminis-
tration.

[F. R. Doc. 53-209; Filed, Jan. 8, 1953;
8:51 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR Part 729]

PEANUTS

NOTICE OF PROPOSED DETERMINATIONS WITH RESPECT TO SUPPLY OF THE SEVERAL TYPES FOR 1953-54 MARKETING YEAR

Pursuant to section 358 (c) of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1358 (c)), the Secretary of Agriculture is preparing to determine whether the supply of any type or types of peanuts for the 1953-54 marketing year will be insufficient to meet the

estimated demand for cleaning and shelling purposes. Section 358 (c) of the act, as amended, reads in part as follows:

Notwithstanding any other provision of law, if the Secretary of Agriculture determines, on the basis of the average yield per acre of peanuts by types during the preceding five years, adjusted for trends in yields and abnormal conditions of production affecting yields in such five years, that the supply of any type or types of peanuts for any marketing year, beginning with the 1951-52 marketing year, will be insufficient to meet the estimated demand for cleaning and shelling purposes at prices at which the Commodity Credit Corporation may sell for such purposes peanuts owned or controlled by it, the State allotments for those States producing such type or types of peanuts shall be increased to the extent determined by the Secretary to be required to meet such

[7 CFR Part 908]

[Docket No. AO-243]

HANDLING OF MILK IN CENTRAL ARKANSAS MARKETING AREA

NOTICE OF POSTPONEMENT OF HEARING ON PROPOSED MARKETING AGREEMENT AND ORDER

Notice is hereby given that the hearing on a proposed marketing agreement and order to regulate the handling of milk in the Central Arkansas marketing area originally scheduled to begin at 10:00 a. m., c. s. t., January 13, 1953 (17 F. R. 11605), in the Public Service Commission Hearing Room, State Capitol Building, Little Rock, Arkansas, is hereby postponed indefinitely.

Done at Washington, D. C., this 6th day of January 1953.

[SEAL] GEORGE A. DICE,
Acting Assistant Administrator.

[F. R. Doc. 53-212; Filed, Jan. 8, 1953;
8:52 a. m.]

NOTICES

DEPARTMENT OF AGRICULTURE

Production and Marketing
Administration

PEANUTS

NOTICE OF REDELEGATION OF FINAL AUTHORITY BY NORTH CAROLINA AND OKLAHOMA STATE PRODUCTION AND MARKETING ADMINISTRATION COMMITTEES REGARDING MARKETING QUOTA REGULATIONS FOR 1953 CROP

Section 729.432 of the Marketing Quota Regulations for the 1953 Crop of Peanuts (17 F. R. 10611), issued pursuant to the marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1301-1376), provides that any authority delegated to the State Production and Marketing Administration Committee by the regulations may be redelegated by the State committee. In accordance with section 3 (a) (1) of the Administrative Procedure Act (5 U. S. C. 1002 (a)), which requires delegations of final authority to be published in the FEDERAL REGISTER, there are set out herein the redelegations of final authority which have been made by the North Carolina and Oklahoma State Production and Marketing Administration Committees of authority vested in such committees by the Secretary of Agriculture in the regulations referred to above. Shown below are the sections of the regulations in which such authority appears and the officer to whom the authority has been redelegated:

NORTH CAROLINA

Section 729.426—Chairman of the State PMA Committee.

OKLAHOMA

Sections 729.411 (b) (2) (ii) and 729.418 (b) (5)—The following employees of the office of the State PMA committee: H. P. Moffitt, Executive Officer or F. E. Percy, Assistant Executive Officer.

Sections 729.421, 729.422 (a), 729.424 (a), and 729.424 (b) (4)—The following employees of the office of the State PMA committee: H. P. Moffitt, Executive Officer, F. E. Percy, Assistant Executive Officer, or S. A. Shelby, Administrative Assistant.

Section 729.430—S. A. Shelby, Administrative Assistant of the office of the State PMA Committee, or farmer fieldmen in their respective districts.

(Sec. 375, 52 Stat. 66, as amended; 7 U. S. C. 1375. Interpret or apply secs. 301, 358, 359, 361-368, 373, 374; 52 Stat. 38, 62, 65, as amended, 55 Stat. 88, as amended; 66 Stat. 27; 7 U. S. C. 1301, 1358, 1359, 1361-1368, 1373, 1374)

Issued at Washington, D. C., this 6th day of January 1953.

[SEAL] LIONEL C. HOLM,
Acting Administrator, Production and Marketing Administration.

[F. R. Doc. 53-210; Filed, Jan. 8, 1953; 8:51 a. m.]

DEPARTMENT OF DEFENSE

Office of the Secretary

ASSISTANT SECRETARY OF DEFENSE

DIRECTIVE ESTABLISHING PRINCIPAL RESPONSIBILITY FOR RESERVE AFFAIRS

I. Purpose. The purpose of this directive is to implement section 256 (a) of the Armed Forces Reserve Act of 1952, Public Law 476, 82d Congress, which requires designation of an Assistant Secretary of Defense as having principal responsibility for all Reserve affairs of the Department of Defense.

II. Responsibility. The Assistant Secretary of Defense (Manpower and Personnel) is hereby designated as the Assistant Secretary of Defense who shall in addition to other duties, have principal responsibility for all Reserve affairs of the Department of Defense.

III. Effective date. This directive is effective January 1, 1953.

WILLIAM C. FOSTER,
Acting Secretary of Defense.

DECEMBER 31, 1952.

[F. R. Doc. 53-174; Filed, Jan. 8, 1953; 8:45 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 4603 et al.]

REOPENED NORTH CENTRAL ROUTE
INVESTIGATION CASE

NOTICE OF ORAL ARGUMENT

Notice is hereby given, pursuant to the provisions of the Civil Aeronautics Act of 1938, as amended, that oral argument in the above-entitled proceeding is assigned to be held on February 3, 1953, at 10:00 a. m., e. s. t., in Room 5042, Commerce Building, Constitution Avenue, between Fourteenth and Fifteenth Streets NW., Washington, D. C., before the Board.

Dated at Washington, D. C., January 6, 1953.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 53-205; Filed, Jan. 8, 1953; 8:50 a. m.]

[Docket No. 5219 et al.]

LAS VEGAS-LOS ANGELES RESTRICTION CASE

NOTICE OF ORAL ARGUMENT

Notice is hereby given, pursuant to the provisions of the Civil Aeronautics Act of 1938, as amended, that oral argument in the above-entitled proceeding is assigned to be held on February 5, 1953, at 10:00 a. m., e. s. t., in Room 5042, Commerce Building, Constitution Avenue, between Fourteenth and Fifteenth Streets NW., Washington, D. C., before the Board.

Dated at Washington, D. C., January 6, 1953.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 53-206; Filed, Jan. 8, 1953; 8:50 a. m.]

[Docket No. 5658]

U. S. AIRLINES, INC., ENFORCEMENT
PROCEEDING

NOTICE OF POSTPONEMENT OF HEARING

Notice is hereby given, pursuant to the provisions of the Civil Aeronautics Act of 1938, as amended, that hearing in the above-entitled proceeding, now assigned for January 7, 1953, is postponed, and will be held on January 28, 1953, at 10:00 a. m. in Room 2045, Temporary Building No. 4, Seventeenth Street south of Constitution Avenue NW., Washington, D. C., before Examiner Barron Fredricks.

Dated at Washington, D. C., January 6, 1953.

By the Civil Aeronautics Board.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 53-204; Filed, Jan. 8, 1953; 8:50 a. m.]

ECONOMIC STABILIZATION
AGENCYConstruction Industry Stabilization
Commission, Wage Stabilization
Board

[Amtd. 4]

CONNECTICUT

AREA WAGE RATES

Area wage rates for the state of Connecticut up to approximately December 24, 1952, are hereby added to the list previously published in the FEDERAL REGISTER issue of October 30, 1952, at F. R. 9784.

The following table shows the area wage rates that have been published and the FEDERAL REGISTER citation.

Alabama: 17 F. R. 9784.
Arizona: 17 F. R. 9789.
Arkansas: 17 F. R. 10576.
California: 17 F. R. 10784.
Colorado: 17 F. R. 11246.

THOMAS J. KALIS,
DUNCAN CAMPBELL,
Cochairmen.

ROBERT J. LUDWIG,
Administrative Assistant.

Area rates approved and issued by the Construction Industry Stabilization Commission for the State of Connecticut up to approximately December 24, 1952.

SEC. 6. Area wage rates for Connecticut.

Asbestos Workers

Case C-10,046: That part of Connecticut under the jurisdiction of International As-

sociation of Heat and Frost Insulators and Asbestos Workers, Local 31; building construction only.

Asbestos worker mechanic.....	\$2.85
Improver:	
First year.....	1.60
Second year.....	1.90
Third year.....	2.13
Fourth year.....	2.38

Case C-8094: Area south to Windsor Locks, Connecticut; east to and including Worcester, Mass.; west to and including Canaan, Conn.; north to and including White River Junction, Vt.; building construction only.

Asbestos worker mechanic.....	\$2.71
Improver:	
First year.....	1.36
Second year.....	1.75
Third year.....	1.97
Fourth year.....	2.13

Case C-6751: Wethersfield and area within the territorial jurisdiction of International Association of Heat and Frost Insulators and Asbestos Workers, Local 33; west of the Connecticut River and half way to Providence, R. I.; except the area north of Windsor Locks, Conn.; building construction only.

Asbestos worker.....	\$2.71
Improver:	
First year.....	1.58
Second year.....	1.75
Third year.....	1.97
Fourth year.....	2.13

Boilermakers

Case C-3515: Entire State of Connecticut; building construction only:

Boilermaker: Foreman.....	\$3.30
Pusher.....	3.05
Journeyman.....	2.80

Bricklayers

Case C-5071: Towns and cities of Bridgeport, Milford, Stratford, Fairfield, Easton, Trumbull, and Southport; building construction only.

Journeyman bricklayer.....	\$2.845
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Case C-7258: Towns of Danbury, Bethel, Redding, Newton, Brookfield, New Fairfield, New Milford, Bridgewater, Sherman, Roxbury, and Kent; building construction only.

Journeyman bricklayer.....	\$2.75
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Case C-7606: Town of Greenwich; building and heavy construction only.

Journeyman brick mason, pointer, caulker, and cleaner.....	\$3.25
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Case C-5383: Towns of Hartford, West Hartford, East Hartford, Manchester, Glastonbury, Rocky Hill, Wethersfield, Newington, Farmington, Burlington, Avon, Canton, Simsbury, Bloomfield, Granby, East Granby, Hartland, Suffield, Windsor Locks, Windsor, South Windsor, East Windsor, Enfield, Somers, Ellington, Vernon, Bolton, Marlboro, Hebron, Columbia, Andover, Coventry, Mansfield, Willington, Tolland, Stafford, and Union; building construction only.

Journeyman bricklayer and caulker.....	\$2.90
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Case C-5118: Towns of Meriden, Wallingford, and that portion of Cheshire east of the College Highway; building construction only.

Journeyman bricklayer, block layer, pointer, cleaner, and caulker.....	\$2.90
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Case C-7714: New Britain and area within the territorial jurisdiction of the Bricklayers, Masons and Plasterers International Union, Local 3; building construction only.

Journeyman bricklayer.....	\$2.90
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Case C-5730: County of Middlesex and the towns of East Hampton, Colchester, Lebanon,

Windham, Chaplin, Hampton, Ashford, Eastford, Pomfret, Brooklyn, Woodstock, Thompson, Putnam, and Killingly; building construction only.

Journeyman bricklayer, concrete blocklayer, cleaner, pointer, and caulker.....	\$2.90
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Case C-5167: New Haven, and vicinity, which includes the towns of New Haven, West Haven, North Haven, part of Milford, Orange, Woodbridge, Bethany, Hamden, Branford, Guilford, and Madison; building construction only.

Journeyman bricklayer.....	\$2.90
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Case C-6319: Towns and cities of Norwalk, Westport, Greens Farms, Saugatuck, Wilton, and Rowayton; building construction only.

Journeyman bricklayer.....	\$2.90
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Case C-4911: Cities of Stamford and Darien; building construction only.

Journeyman bricklayer.....	\$2.90
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Case C-9842: Cities of New London, Montville, Groton, Mystic, Waterford, Stonington to Rhode Island State line, Niantic, East Lyme, Saybrook, and Old Lyme; building construction only.

Journeyman bricklayer.....	\$2.90
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Case C-5425: City of Waterbury and the towns of Beacon Falls, Naugatuck, Mixville, Middlebury, Woodbury, Thomaston, Watertown, Wolcott, and Prospect; building, heavy and highway construction.

Journeyman bricklayer, cinder block layer, pointer, caulker, and cleaner.....	\$2.90
Foreman and subforeman.....	3.15

Apprentice:

First 6 months.....	1.10
Second 6 months.....	1.25
Second year.....	1.625
Second half of second year.....	1.78
Third year.....	1.90
Second half of third year.....	2.05

Carpenters

Case C-8026: Ansonia and area within the territorial jurisdiction of the United Brotherhood of Carpenters and Joiners of America, Local 127; building construction only.

Journeyman carpenter.....	\$2.56
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Case C-5671: Cities of Fairfield, Bridgeport, Stratford, Milford, and part of Orange; building construction only.

Journeyman carpenter.....	\$2.625
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Case C-3020: Cities of Bristol, Terryville, Collinsville, Burlington, Plymouth, Simsbury, and Plainville west of the railroad tracks; building construction only.

Journeyman carpenter.....	\$2.35
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Case C-3768: Town of Greenwich; building construction only.

Journeyman carpenter.....	\$2.9143
Journeyman carpenter (millman).....	2.757

Case C-5517: Towns of Hartford, East Hartford, West Hartford, Manchester, Bolton, Glastonbury, Rocky Hill, Farmington, Unionville, Granby, Windsor Locks, Suffield, Hartland, Avon, Windsor, and Wethersfield; building construction only.

Journeyman carpenter.....	\$2.475
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Case C-7913: Cities of Meriden, Southington, and part of Cheshire; building construction only.

Journeyman carpenter.....	\$2.48
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Case C-6551: County of Middlesex; building, heavy, and highway construction.

Journeyman carpenter.....	\$2.40
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Case C-10209: City of Naugatuck; building construction only.

Journeyman carpenter.....	\$2.56
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Case C-6632: Towns of New Britain, Berlin, Newington, Plainville east of the railroad tracks; building construction only.

Journeyman carpenter.....	\$2.46
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Case C-5356: City of New Haven, and towns of North Haven, West Haven, East Haven, Hamden, Branford, North Branford, Guilford, North Guilford, Madison, Woodbridge, Bethany, Northeastern half of Orange; building construction only.

Journeyman:	
Carpenter.....	\$2.56
Floor layer.....	2.56
Pile driver.....	2.56
Rigger.....	2.56

Case C-5806: Towns and cities of New London, Groton, Mystic, Montville, Old Lyme, East Lyme, and Waterford; building, heavy and highway construction.

Journeyman carpenter.....	\$2.53
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Case C-6854: Norwalk and area within the territorial jurisdiction of the United Brotherhood of Carpenters and Joiners, Local 746; building, heavy and highway construction.

Residential, commercial light and heavy industrial, highway and bridge building.....	\$2.625
Bridge, dock and wharf carpenter.....	2.625
Acoustical tile installer.....	2.625
Insulation installer.....	2.625
Overhead type door installer.....	2.625
Millwright.....	2.625
Millman carpenter.....	2.4875

Case C-8497: Starting at the Junction of Route 84 with the Connecticut-Rhode Island border, proceed south on Route 84 to Old Mystic, then in a straight line from Old Mystic to the Harvard Boat Club at Gales Ferry, thence in a straight line from the Harvard Boat Club to Salem Four Corners, thence, northerly on Route 85 to the intersection of routes 85 and 207, then, easterly on route 207 to the Franklin town line, northerly on said town line until it intersects with route 32. The line then follows route 32 to South Windham; from Windham Center easterly on route 14 to Canterbury, then from Canterbury in a straight line through and beyond Moosup to Plainfield-Sterling town line, then southerly on the Plainfield-Sterling town line to the New London County line, then easterly on said line to the Rhode Island border, then southerly along said border to route 84, the starting point; building and heavy construction only.

Journeyman carpenter and joiner.....	\$2.45
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Case C-5393: Ridgefield and area within the territorial jurisdiction of United Brotherhood of Carpenters and Joiners, Local 1119; building construction only.

Journeyman carpenter.....	\$2.50
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Case C-8162: Towns of Stamford and Darien in Fairfield County; building construction only.

Journeyman carpenter.....	\$2.7625
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Case C-488: Torrington and area within the territorial jurisdiction of United Brotherhood of Carpenters and Joiners, Local 216; building construction only.

Journeyman carpenter.....	\$2.25
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Case C-7532: Cities and towns of Waterbury, Wolcott, Watertown, Middlebury, Southbury, and west of Main Street of Cheshire; building and heavy construction only.

Journeyman carpenter (all branches).....	\$2.56
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Cement Finishers

Case C-5071: Towns and cities of Bridgeport, Milford, Stratford, Fairfield, Easton, Trumbull, and Southport; building construction only.

Mason and cement finisher..... \$2.845

Case C-7258: Towns of Danbury, Bethel, Redding, Newton, Brookfield, New Fairfield, New Milford, Bridgewater, Sherman, Roxbury, and Kent; building construction only.

Mason and cement finisher..... \$2.75

Case C-7606: Town of Greenwich; building and heavy construction only.

Cement mason..... \$3.25

Case C-5383: Towns of Hartford, West Hartford, East Hartford, Manchester, Glastonbury, Rocky Hill, Wethersfield, Newington, Farmington, Burlington, Avon, Canton, Simsbury, Bloomfield, Granby, East Granby, Hartland, Suffield, Windsor Locks, Windsor, South Windsor, East Windsor, Enfield, Somers, Ellington, Vernon, Bolton, Marlboro, Hebron, Columbia, Andover, Coventry, Mansfield, Willington, Tolland, Stafford, and Union; building construction only.

Mason and cement finisher..... \$2.90

Case C-5118: Towns of Meriden, Wallingford, and that portion of Cheshire east of the College Highway; building construction only.

Cement finisher..... \$2.90

Case C-7714: New Britain, and area within the territorial jurisdiction of the Bricklayers, Masons & Plasterers International Union, Local 3; building construction only.

Mason and cement mason..... \$2.90

Case C-5730: County of Middlesex and the towns of East Hampton, Colchester, Lebanon, Windham, Chaplin, Hampton, Ashford, Eastford, Pomfret, Brooklyn, Woodstock, Thompson, Putnam, and Killingly; building construction only.

Cement mason..... \$2.90

Case C-5167: New Haven and vicinity, which includes the towns of New Haven, West Haven, North Haven, part of Milford, Orange, Woodbridge, Bethany, Hamden, Branford, Guilford, and Madison; building construction only.

Mason and cement finisher..... \$2.90

Case C-6319: Towns and cities of Norwalk, Westport, Greens Farms, Saugatuck, Wilton, and Rowayton; building construction only.

Mason and cement finisher..... \$2.90

Case C-9842: Cities of New London, Montville, Groton, Mystic, Waterford, Stonington to Rhode Island State Line, Niantic, East Lyme, Saybrook, and Old Lyme; building construction only.

Mason and cement finisher..... \$2.90

Case C-4911: Cities of Stamford and Darien; building construction only.

Mason and cement finisher..... \$2.90

Case C-5027: Towns of Harwinton, Litchfield, Morris, Bethlehem, Washington, Warren, Sharon, Cornwall, Goshen, New Hartford, Barkhamsted, Winchester, Norfolk, Canaan, Salisbury, North Canaan, Colebrook, Torrington, and Lakeville; building construction only.

Journeyman mason..... \$2.71

Case C-5425: City of Waterbury and the towns of Beacon Falls, Naugatuck, Mixville, Middlebury, Woodbury, Thomaston, Watertown, Wolcott, and Prospect; building, heavy and highway construction.

Cement mason.....	\$2.90
Foreman and Sub-Foreman.....	3.15
Apprentice:	
First 6 months.....	1.10
Second 6 months.....	1.25
Second year.....	1.625
Second half of second year.....	1.78
Third year.....	1.90
Second half of third year.....	2.05

Electrical Workers

Case C-9929: Bridgeport and area within the territorial jurisdiction of International Brotherhood of Electrical Workers, Local 488; building and heavy construction only.

Electrician (journeyman)..... \$2.79

Apprentice:	Percent
First year:	
First six months.....	35
Second six months.....	45
Second year:	
First six months.....	50
Second six months.....	55
Third year:	
First six months.....	60
Second six months.....	65
Fourth year:	
First six months.....	70
Second six months.....	75

Also a differential of 25 cents per hour for foreman and 50 cents per hour for general foreman.

Case C-9853: Bridgeport and area within the territorial jurisdiction of International Brotherhood of Electrical Workers, Local 565; building and heavy construction only.

Lineman.....	\$2.75
Cable splicer.....	2.75
Cable splicer helper.....	1.75
Groundman.....	1.75
Apprentice:	
First 6 months.....	1.75
Second 6 months.....	1.85
Second year.....	2.00
Third year.....	2.25
Fourth year.....	2.75

Case C-8022: Danbury and area within the territorial jurisdiction of International Brotherhood of Electrical Workers, Local 525; building and heavy construction only.

Journeyman electrician..... \$2.625

Case C-5429, C-8062: Hartford and area within the territorial jurisdiction of International Brotherhood of Electrical Workers, Local 35; building and heavy construction only.

Journeyman electrician..... \$2.825

Foreman—25¢ differential above journeyman rate.
General foreman—50¢ differential above journeyman rate.

Case C-6375: New Britain and area within the territorial jurisdiction of International Brotherhood of Electrical Workers, Local 37; building and heavy construction only.

Journeyman electrician..... \$2.625

Case C-9249: New Haven and area within the territorial jurisdiction of International Brotherhood of Electrical Workers, Local 90; building and heavy construction only.

Journeyman electrician (inside worker).....	\$2.75
Apprentice:	Per hour
First 6 months.....	\$1.125
Second 6 months.....	1.225
Second year.....	1.325
Third year.....	1.525
Fourth year.....	1.725

Case C-9993: Norwalk and area within the territorial jurisdiction of International Brotherhood of Electrical Workers, Local 208; building and heavy construction only.

Journeyman electrician..... \$2.90

Case C-7158: Norwich and area within the territorial jurisdiction of International Brotherhood of Electrical Workers, Local 225; building and heavy construction only.

Journeyman electrician..... \$2.40

Case C-5427: Waterbury and area within the territorial jurisdiction of International Brotherhood of Electrical Workers, Local 660; building and heavy construction only.

Journeyman electrician..... \$2.625

Elevator Constructors

Case C-3162: Entire State of Connecticut; building construction only.

Elevator constructor mechanic..... \$2.85

Elevator constructor helper..... 2.00

Glaziers

Case C-10141: Cities and towns of Old Saybrook, Essex, Deep River, Chester, Killingworth, Madison, Guilford, Wallingford, Meriden, Southington, Bristol, Plymouth, Thomaston, Morris, Warren, Sharon, Salisbury, North Canaan, Canaan, Cornwall, Norfolk, Goshen, Litchfield, Colebrook, Winchester, Torrington, Hartland, Barkhamsted, New Hartford, Harwinton, Granby, Canton, Burlington, East Granby, Bloomfield, Simsbury, Avon, West Hartford, Farmington, Plainville, New Britain, Berlin, Waterbury, Middletown, Durham, Middletown, Cromwell, Rocky Hill, Wethersfield, Newington, Hartford, East Hartford, Wilton, Windsor Locks, Suffield, Enfield, East Windsor, South Windsor, Manchester, Glastonbury, Portland, East Hampton, Marlboro, Haddam, East Haddam, New London, Lyme, Old Lyme, East Lyme, Salem, Colchester, Hebron, Lebanon, Columbia, Andover, Coventry, Bolton, Vernon, Tolland, Ellington, Somers, Stratford, Union, Willington, Mansfield, Woodstock, Eastford, Ashford, Pomfret, Hampton, Chaplin, Windham, Scotland, Franklin, Sprague, Norwich, Bozrah, Montville, Waterford, Groton, Stonington, North Stonington, Ledyard, Preston, Voluntown, Griswold, Lisbon, Sterling, Plainfield, Canterbury, Brooklyn, Killingly, Putnam, Windsor, and Thompson; building construction only.

Journeyman glazier..... \$2.45

Case C-8390: New Haven and area within the territorial jurisdiction of Brotherhood of Painters, Decorators and Paperhangers, Glaziers' Local 1274; building construction only.

Journeyman glazier..... \$2.40

Iron Workers

Case C-9390: Halfway from Springfield, Mass., to Hartford, Conn., and surrounding area extending halfway from Springfield to the following cities; Manchester, N. H.; Hartford, Conn.; Worcester, Mass.; and Albany, N. Y.; building, heavy and highway construction.

Journeyman iron worker..... \$2.93

Foreman..... 3.205

Case C-6419: Entire State of Connecticut except that area which may be within the territorial jurisdiction of local 357, Springfield, Mass.; building, heavy and highway construction.

Journeyman bridge, structural and ornamental iron worker..... \$3.15

Laborers

Case C-5322: Cities of Bridgeport, Fairfield, Southport, Easton, Trumbull, Monroe, Stratford, Newtown, Devon, Shelton, (excluding east of Howe Avenue from Wright Street to Wheeler Street) and Milford up to Oyster River; building, heavy and highway construction.

Hod carrier, general construction laborer, scaffold builder, and highway construction laborer..... \$2.02

Case C-5160: Entire State of Connecticut; mainline pipeline construction only.

Laborer (pipeline)----- \$1.75

Case C-9362: Town of Greenwich; building, heavy and highway construction.

Common laborer----- \$2.00

Building laborer----- 2.28

Jackhammer and drill runner----- 2.50

Blaster----- 2.95

Watchman----- 1.39

Building wrecker----- 2.56

Scaffold man----- 2.50

Case C-5326: New Britain, Hartford, and area within the territorial jurisdiction of International Hod Carriers, Building, and Common Laborers Union, Local 230, Hartford, and Local 611, New Britain; building construction only.

Hod carrier, building, and common laborer----- \$1.85

Case C-5143: New Haven and area within the territorial jurisdiction of International Hod Carriers, Building and Common Laborers Union, Local 455; building construction only.

Hod carrier, building, and common laborer----- \$1.85

Case C-9144: Towns of New London, Waterford, Lyme, Saybrook, Niantic, Chester, Deep River, Essex, Hadlyme, Ivoryton, Old Saybrook, Saybrook Point, Chesterfield, Colchester, Lebanon, Groton, Mystic, Stonington, Ledyard, Preston, Montville, Norwich, Baltic, Taftville, Occum, Versailles, Jewett City, Plainfield, Danielson, Moosup, Canterbury, Central Village, Oneco, Sterling, and Wauregan; building construction only.

Building laborer----- \$1.85

Case C-9536: Towns of New London, Waterford, Lyme, Saybrook, Niantic, Chester, Deep River, Essex, Hadlyme, Ivoryton, Old Saybrook, Saybrook Point, Chesterfield, Colchester, Lebanon, Groton, Mystic, Stonington, Ledyard, Preston, Montville, Norwich, Baltic, Taftville, Occum, Versailles, Jewett City, Plainfield, Danielson, Moosup, Canterbury, Central Village, Oneco, Sterling, and Wauregan; building construction only.

Hod carrier, building, and common laborer----- \$1.85

Case C-6208: Cities of Norwalk, South Norwalk, Rowayton, Winnipank, Westport, Weston, Greens Farms, Wilton in Fairfield County; building, heavy and highway construction.

Tender, scaffolding builder, excavation worker, concrete worker, highway laborer, drilling and blasting laborer, compressed air laborer, signal man, general excavation and grading, laborer in factory and mill, general laborer, wrecking watchman----- \$2.07

Case C-6412: Ridgefield and area within the territorial jurisdiction of International Hod Carriers, Building and Common Laborers Union, Local 316 (including Redding); building construction only.

Hod carrier, building and common laborer----- \$1.80

Case C-8080: Cities of Stamford and Darien; county of Fairfield; building construction only.

Common laborer and hod carrier----- \$2.075

Case C-4980: Towns of Harwinton, Litchfield, Morris, Bethlehem, Washington, Warren, Sharon, Cornwall, Goshen, New Hartford, Barkhamsted, Winchester, Norfolk, Canaan, Salisbury, North Canaan, Colebrook, Torrington, and Lakeville; building construction only.

Building construction laborer----- \$1.70

Case C-5994: City of Waterbury and towns of Wolcott, Prospect, Mixville, South of Middlebury, Watertown, Beacon Falls, Thomaston, Woodbury, Terryville, Roxbury, Oxford, and the borough of Naugatuck; building, heavy and highway construction.

Common laborer and hod carrier----- \$1.85

Lathers

Case C-9111: Towns and cities of Bridgeport, Southport, Danbury, Milford, Newtown, Trumbull, Easton, Fairfield, Devon, and Stratford; building construction only.

Journeyman wood, wire, and metal lather----- \$2.75

Case C-8512: Towns and cities of Danielson, Putnam, and Pawcatuck; building construction only.

Column A Column B

Journeyman wood, wire, and metal lather----- \$3.00 \$3.05

The rate in Column A may be made effective the next full payroll period beginning on or after August 7, 1952, and the rate in Column B may be made effective January 1, 1953.

Case C-8555: Hartford and area within the territorial jurisdiction of Wood, Wire, and Metal Lathers International Union, Local 78; building construction only.

Wood, wire, and metal lather----- \$2.90

Case C-7106: Towns and cities of New Haven, West Haven, East Haven, North Haven, Orange, Ansonia, Derby, Bethany, Woodbridge, Hamden, Wallingford, Middlefield, Branford, Guilford, Madison, and Deep River; building construction only.

Journeyman wood, wire, and metal lather----- \$2.75

Case C-5850: Waterbury and area within the territorial jurisdiction of Wood, Wire, and Metal Lathers International Union, Local 125; building construction only.

Journeyman wood, wire and metal lather----- \$2.75

Marble, Mosaic and Terrazzo Helpers

Case C-8828: Greater New York metropolitan area including the five counties of New York City; and the counties of Nassau, Suffolk, Westchester to Stamford, Conn. and that portion of New Jersey within a 25-mile radius of New York City; building construction only.

Marble setter's helper----- \$2.735

Case C-7750: State of Connecticut, except the town of Greenwich; building construction only.

Marble, slate and stone polisher, rubber, sawyer, tile and marble helper and terrazzo helper----- \$1.965

Marble Setters

Case C-8828: Town of Greenwich; building construction only.

Journeyman marble finisher----- \$2.95

Marble cutter, carver and setter----- 3.15

Case C-5383: Towns of Hartford, West Hartford, East Hartford, Manchester, Glastonbury, Rocky Hill, Wethersfield, Newington, Farmington, Burlington, Avon, Canton, Simsbury, Bloomfield, Granby, East Granby, Hartland, Suffield, Windsor, Windsor Locks, South Windsor, East Windsor, Enfield, Somers, Ellington, Vernon, Bolton, Mansfield, Hebron, Columbia, Andover, Coventry, Marlboro, Willington, Tolland, Stafford, and Union; building construction only.

Marble setter----- \$2.90

Case C-5730: County of Middlesex, and the towns of East Hampton, Colchester, Lebanon,

Windham, Chaplin, Hampton, Ashford, Eastford, Pomfret, Brooklyn, Woodstock, Thompson, Putnam, and Killingly; building construction only.

Marble mason----- \$2.90

Case C-9842: Cities of New London, Montville, Groton, Mystic, Waterford, Stonington to Rhode Island State line, Niantic, East Lyme, Saybrook, and Old Lyme; building construction only.

Marble setter----- \$2.90

Case C-5167: New Haven and vicinity which includes the towns of New Haven, West Haven, North Haven, part of Milford, Orange, Woodbridge, Bethany, Hamden, Branford, Guilford, and Madison; building construction only.

Marble mason----- \$2.90

Case C-5425: City of Waterbury and the towns of Beacon Falls, Naugatuck, Mixville, Middlebury, Woodbury, Thomaston, Watertown, Wolcott, and Prospect; building, heavy and highway construction.

Marble mason----- \$2.90

Foreman and subforeman----- 3.15

Apprentice:

First 6 months----- 1.10

Second 6 months----- 1.25

Second year----- 1.625

Second half of second year----- 1.78

Third year----- 1.90

Second half of third year----- 2.05

Mosaic and Terrazzo Workers

Case C-5071: Towns and cities of Bridgeport, Milford, Stratford, Fairfield, Easton, Trumbull, and Southport; building construction only.

Terrazzo worker----- \$2.845

Case C-5167: New Haven, and vicinity, which includes the towns of New Haven, West Haven, North Haven, part of Milford, Orange, Woodbridge, Bethany, Hamden, Branford, Guilford, and Madison; building construction only.

Terrazzo worker----- \$2.90

Case C-5383: Towns of Hartford, West Hartford, East Hartford, Manchester, Glastonbury, Rocky Hill, Wethersfield, Newington, Farmington, Burlington, Avon, Canton, Simsbury, Bloomfield, Granby, East Granby, Hartland, Suffield, Windsor Locks, Windsor, South Windsor, East Windsor, Enfield, Somers, Ellington, Vernon, Bolton, Marlboro, Hebron, Columbia, Andover, Coventry, Mansfield, Willington, Tolland, Stafford, and Union; building construction only.

Terrazzo worker and mosaic worker----- \$2.90

Case C-5730: County of Middlesex and the towns of East Hampton, Colchester, Lebanon, Windham, Chaplin, Hampton, Ashford, Eastford, Pomfret, Brooklyn, Woodstock, Thompson, Putnam, and Killingly; building construction only.

Terrazzo and mosaic worker----- \$2.90

Case C-5425: City of Waterbury and the towns of Beacon Falls, Naugatuck, Mixville, Middlebury, Woodbury, Thomaston, Watertown, Wolcott, and Prospect; building, heavy and highway construction.

Terrazzo worker----- \$2.90

Foreman and subforeman----- 3.15

Apprentice:

First 6 months----- 1.10

Second 6 months----- 1.25

Second year----- 1.625

Second half of second year----- 1.78

Third year----- 1.90

Second half of third year----- 2.05

Case C-7258: Towns of Danbury, Bethel, Redding, Newton, Brookfield, New Fairfield,

New Melford, Bridgewater, Sherman, Roxbury, and Kent; building construction only.
Mosaic and terrazzo worker..... \$2.75

Case C-9842: Cities of New London, Montville, Groton, Mystic, Waterford, Stonington, to Rhode Island State line, Niantic, East Lyme, Saybrook, and Old Lyme; building construction only.

Terrazzo worker..... \$2.90

Operating Engineers

Case C-4247: Entire State of Connecticut; building, heavy and highway construction.

Building

Derrick..... \$2.72
Hoist (1 drum)..... 2.53
Compressor..... 2.475
Welding machine..... 2.475
Bulldozer..... 2.20
Grader..... 2.20
Concrete mixer, under 5 bags..... 2.10
Carryall..... 2.20
Setting stone..... 2.72
Fireman..... 2.00
Hoisting, 2-drum..... 2.72
Pave loader..... 2.20
Fork lifter..... 2.20
Mechanical heater..... 2.00
Mechanic engineer..... 2.00

Building and Heavy

Pile driver..... \$2.53
Pump and well point..... 2.475

Highway

Compressor..... \$1.90
Plump..... 1.90
Finishing machine..... 2.00
Roller..... 2.00

Heavy and Highway

Lighter derrick and paver..... \$2.53
Bulldozer and grader..... 2.00
Batch plant..... 1.65
Carryall..... 2.00
Pushmobile..... 2.00
Asphalt plant..... 2.05
Fireman..... 1.85
Repair engineer (in)..... 1.65
Repair engineer (out)..... 1.75
Bulk cement plant..... 1.65
Pave loader..... 2.00
Fork lifter..... 2.00

Building, Heavy and Highway

Crane, steel..... 2.72
Shovel and crane, master mechanic..... 2.53
Oiler..... 1.65
Concrete mixer, 5 bags and over..... 2.25
Dragline and trenching machine..... 2.53

Painters

Case C-5708: Towns and cities of Bridgeport, Fairfield, Westport, Easton, Trumbull, Monroe, Weston, Stratford, and Milford; building construction only.

Journeyman painter, paperhanger, and decorator..... \$2.35
Journeyman painter for painting structural steel..... 2.60
Journeyman painter for painting 40 feet above floor or ground level..... 2.60

Case C-4978: Cities of Hartford and West Hartford; Towns of East Hartford, Rocky Hill, Glastonbury, Farmington, Avon, Suffield, Windsor, Enfield, Manchester, Burlington, Canton, Granby, East Granby, Somers, East Windsor, Ellington, South Windsor, Vernon, Hebron, Marlboro, Wethersfield, Bloomfield, Simsbury, Hartland, and Windsor Locks; building construction only.

Journeyman painter..... \$2.35

Case C-6228: Towns and cities of Hartford, East Hartford, West Hartford, Wethersfield, Rocky Hill, Bloomfield, Farmington, Burlington, Simsbury, Canton, Hartland, Granby, Avon, East Granby, Suffield, Windsor, Wind-

sor Locks, Enfield, Somers, East Windsor, Ellington, South Windsor, Vernon, Manchester, Glastonbury, Hebron, and Marlboro; building, heavy and highway construction.

Journeyman sign writer..... \$2.42
Senior apprentice helper..... 1.64
Senior apprentice..... 1.92
Junior apprentice helper..... 1.48

Case C-4885: Town of Greenwich; building construction only.

Journeyman painter..... \$2.8475

Case C-5755: Cities of New Britain, Bristol, Middletown, and Meriden; building construction only.

Journeyman brush painter, paperhanger, and decorator..... \$2.20

Case C-5926: City of New Haven and vicinity, which includes the towns of New Haven, North Haven, West Haven, East Haven, Hamden, Branford, North Branford, Woodbridge, Bethany, Orange, and Woodmont; building construction only.

Journeyman painter..... \$2.35
Journeyman painter—structural steel..... 2.60
Journeyman painter, work 40 feet above floor or ground level..... 2.60

Case C-4541: Starting at a point on the shore of Long Island Sound and the boundary line of the State of Connecticut and the State of Rhode Island, and running in a northerly direction along the aforementioned boundary line between Connecticut and Rhode Island to the Preston (Conn.) town line, thence in a westerly and southwesterly direction of Trading Cove, Conn., thence in a northwesterly direction to Colchester, Conn., thence in a southerly direction to, and including the Connecticut River, thence along the Connecticut River to Long Island Sound, and thence in an easterly direction along the shore line to the point or place of beginning; and in addition to the above all bridges over the Connecticut River; building construction only.

Journeyman painter, regular work..... \$2.20
Journeyman paperhanger..... 2.45
Structural steel painting..... 2.75
Swing stage work:
40 feet to 70 feet high..... 2.45
Over 70 feet high..... 2.60
Power brushing steam cleaning and sandblasting..... 2.75
Foreman..... 2.60

Case C-9712: Towns of Norwich, Plainfield, Sterling, Voluntown, Griswold, Lisbon, Preston, Bozrah, Franklin, and Sprague; building and heavy construction only.

Journeyman painter..... \$2.28

Also maintenance of existing differentials for other classifications of the work.

Case C-5986: Cities of Stamford and Darien; building construction only.

Journeyman painter and paperhanger..... \$3.50

Case C-7391: County of Litchfield, except cities of New Milford, Washington, Watertown, and Thomaston; building construction only.

Journeyman painter, decorator, and paperhanger..... \$2.00

Case C-3315: Waterbury, and area within the territorial jurisdiction of Brotherhood of Painters, Decorators, and Paperhangers, Local 491; building construction only.

Journeyman painter..... \$2.20

Case C-7598: Towns of Windham, Lebanon, Scotland, Canterbury, Brooklyn, Hampton, Putnam, Thompson, Woodstock, Union, Stafford, Ashford, Eastford, Bolton, Coventry, Tolland, Pomfret, Willimantic, Andover, Columbia, Chaplin, Killingly; building, heavy and highway construction.

Journeyman painter..... \$2.275
Work on swing stage, window jack, or on single plank (20 feet or over)..... 2.425
Painting steel, bridge, tank, tower, and hazardous work of similar character, regardless of equipment used..... 2.75

Case C-9724: Towns of Norwalk, Westport, Weston, and the eastern part of Wilton; building construction only.

Journeyman painter, decorator, and paperhanger..... \$2.35

Plasterers

Case C-5071: Towns and cities of Bridgeport, Milford, Stratford, Fairfield, Easton, Trumbull, and Southport; building construction only.

Journeyman plasterer..... \$2.845

Case C-7258: Towns of Danbury, Bethel, Redding, Newton, Brookfield, New Fairfield, New Milford, Bridgewater, Sherman, Roxbury, and Kent; building construction only.

Journeyman plasterer..... \$2.75

Case C-7606: Town of Greenwich; building and heavy construction only.

Journeyman plasterer..... \$3.25

Case C-5383: Towns of Hartford, West Hartford, East Hartford, Manchester, Glastonbury, Rocky Hill, Wethersfield, Newington, Farmington, Burlington, Avon, Canton, Simsbury, Bloomfield, Granby, East Granby, Hartland, Suffield, Windsor Locks, Windsor, South Windsor, East Windsor, Enfield, Somers, Ellington, Vernon, Bolton, Marlboro, Hebron, Columbia, Andover, Coventry, Mansfield, Willington, Tolland, Stafford, and Union; building construction only.

Journeyman plasterer..... \$2.90

Case C-5118: Towns of Meriden, Wallingford, and that portion of Cheshire, east of the College Highway; building construction only.

Journeyman plasterer..... \$2.90

Case C-5730: County of Middlesex and the towns of East Hampton, Colchester, Lebanon, Windham, Chaplin, Hampton, Ashford, Eastford, Pomfret, Brooklyn, Woodstock, Thompson, Putnam, and Killingly; building construction only.

Journeyman plasterer..... \$2.90

Case C-7714: New Britain and area within the territorial jurisdiction of Bricklayers, Masons and Plasterers International Union, Local 3; building construction only.

Journeyman plasterer..... \$2.90

Case C-5167: New Haven, and vicinity which includes the towns of New Haven, West Haven, North Haven, part of Milford, Orange, Woodbridge, Bethany, Hamden, Branford, Guilford, and Madison; building construction only.

Journeyman plasterer..... \$2.90

Case C-4911: Cities of Stamford and Darien; building construction only.

Journeyman plasterer..... \$2.90

Case C-9842: Cities of New London, Montville, Groton, Mystic, Waterford, Stonington to Rhode Island State line, Niantic, East Lyme, Saybrook, and Old Lyme; building construction only.

Plasterer..... \$2.90

Case C-5425: City of Waterbury and the towns of Beacon Falls, Naugatuck, Mixville, Middlebury, Woodbury, Thomaston, Watertown, Wolcott, and Prospect; building heavy and highway construction.

Journeyman plasterer..... \$2.90
Foreman and subforeman..... 3.15

Apprentice:

First 6 months.....	1.10
Second 6 months.....	1.25
Second year.....	1.625
Second half of second year.....	1.78
Third year.....	1.90
Second half of third year.....	2.05

Plumbers

Case C-4998: Entire State of Connecticut; mainline pipeline construction only.

Journeyman pipe fitter.....	\$2.90
Pipe fitter welder.....	2.90
Pipe fitter apprentice.....	1.35

Or 15 cents per hour over and above the common laborer rate in any given area.

Case C-8198: Linden, New Jersey, and area within the territorial jurisdiction of the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Joint Council of Lead Burner, Local 596; building, heavy and highway construction.

Journeyman lead burner.....	3.175
Lead burner apprentice:	
1st 3 months: 30 percent of journeyman's rate.....	
Next 9 months: 35 percent of journeyman's rate.....	

Case C-8546: Entire State of Connecticut; building construction only.

Journeyman sprinkler fitter.....	\$2.79
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Case C-4753: City of Bridgeport; towns of Stratford and Easton, and Townships of Fairfield, Trumbull, Milford, Monroe, and Shelton; building construction only.

Journeyman plumber and pipe fitter.....	\$2.65
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Case C-5013: Town of Greenwich; building construction only.

Journeyman plumber.....	\$3.143
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Apprentice:

First year.....	1.509
Second year.....	1.634
Third year.....	1.76
Fourth year.....	1.885
Fifth year.....	2.011

Case C-8703: Cities of Danbury, Bethel, and Ridgefield, bounded on the north by Litchfield County, South by towns of Wilton and Weston, east by Hoosatonick River, and west by New York State; building construction only.

Journeyman plumber.....	\$2.50
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Case C-5549: City of Stamford and town of Darien; building construction only.

Journeyman plumber (including those employed on refrigeration, oil burner and gas fitting; but not those employed in the metal trades).....

	\$2.80
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Case C-4524: Hartford County—Towns of Addison, Avon, Bloomfield, Broad Brook, Buckland, Burnside, Canton, East Glastonbury, East Granby, East Hartford, Hazardville, Highland Park, Hockanum, Manchester, Manchester Green, Marlboro, Newington (north of Cedar St.), North Granby, Poquonock, Rocky Hill, Scantic, Scitico, Silver Lane, Simsbury, Suffield, Spring Brook, South Windsor, South Manchester, South Glastonbury, Tariffville, Thompsonville, Unionville, Wapping, Warehouse Point, Weatogue, Wethersfield, West Granby, West Hartford, West Simsbury, West Suffield, Windsor, Windsor Locks, Wilson and Windsorville; Tolland County—Towns of Andover, Bolton, Columbia, Crystal Lake, Eagleville, East Willington, Ellington, Gilead, Gurleyville, Hebron, Hope River, Mansfield, Mansfield Depot, Mansfield P. O., Merrow, Rockville, Somers, Somerville, South Coventry, South Willington, Stafford, Stafford Springs, Staffordville, Storrs, Talcottville, Tolland, Vernon, West Willington,

and West Stafford; New London County—Towns of Colchester, Lebanon, and Hadlyme; Windham County—Towns of Ashford, Chaplin, North Windham, and Willimantic; Middlesex County—Towns of Chester, Cobalt, Cromwell, Deep River, Durham, Durham Center, East Hampton, East Haddam, Gildersleeve, Haddam, Hadlyme, Higganum, Middle Haddam, Middletown, Moodus, Portland, and Rockfall; building and heavy construction.

Journeyman plumber.....	\$2.70
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Case C-6420: Townships of Meriden, Wallingford, Southington, and Cheshire; building construction only.

Journeyman plumber and welder.....	\$2.625
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Case C-8690: Cities of New Britain, Berlin, Plainville, and that part of Newington south of Cedar Street; building construction only.

Journeyman plumber.....	\$2.60
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Case C-4892: Town of New Canaan; building construction only.

Journeyman plumber.....	\$2.75
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Case C-5450: Cities and towns of New Haven, West Haven, Orange, Woodbridge, Hamden, Branford, North Branford, Killingworth, Westbrook, Clinton, Madison, Guilford, and East Haven; building construction only.

Journeyman plumber.....	\$2.75
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Case C-3351: Towns of New London, Groton, Stonington, Waterford, East Lyme, Lyme, Old Lyme, Essex, Old Saybrook, and the southern parts of Montville and Ledyard, including the submarine base; building construction only.

Journeyman plumber.....	\$2.60
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Case C-6320: City of Norwich and area within the territorial jurisdiction of United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 267; building construction only.

Journeyman plumber and pipe fitter.....	\$2.50
Foreman.....	2.75
General foreman.....	3.00

Case C-6450: Cities and towns of Naugatuck, Beacon Falls, Prospect, Oxford, Seymour, Union City, Ansonia, and Bethany; building construction only.

Journeyman plumber and pipe fitter.....	\$2.625
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Case C-4392: City of Torrington; towns of Winsted, New Hartford, Canaan, Salisbury, Lakeville, Sharon, Litchfield, Hartwinton, and Falls Village; building construction only.

Journeyman plumber.....	\$2.25
Apprentice (average wage).....	1.355

Case C-3602: City of Waterbury; towns of Wolcott, Thomaston, Watertown, Woodbury, Bethlehem, Southbury, Washington, New Preston, Roxbury, and Middlebury; building construction only.

Journeyman plumber.....	\$2.75
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Roofers

Case C-4818: Fairfield County; towns of Kent, Washington, Bridgewater, Woodbury, Warren, New Milford, and Roxbury in Litchfield County; towns of Southbury, Middlebury, Beacon Falls, Derby, Bethany, Hamden, North Haven, Orange, East Haven, Guilford, Oxford, Naugatuck, Seymour, Ansonia, Woodbridge, New Haven, West Haven, Milford, Branford, and Madison in New Haven County; building construction only.

Journeyman slater.....	\$2.875
Precast slab.....	3.125
Precast slab helper.....	2.375
Journeyman composition roofer and Kettleman.....	2.625
Slate helper.....	1.875

Case C-5432: Counties of Windham, New London, Tolland, Middlesex, and Hartford; section of Litchfield County north of Kent, Warren, Washington, and Woodbury. Also section of New Haven County north of Middlebury, Naugatuck, Bethany, Hamden, and North Haven; building construction only.

Journeyman roofer, composition.....	\$2.325
Journeyman roofer, slate and tile.....	2.60
Foreman, composition.....	2.60
Roofer's helper.....	1.75

Sheet Metal Workers

Case C-5222: Counties of Litchfield and Fairfield; building construction only.

Journeyman sheet metal worker.....	\$2.81
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Case C-5625: Counties of Hartford, Middlesex, New Haven, New London, Tolland, and Windham; building construction only.

Journeyman sheet metal worker.....	2.65
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Soft Floor Layers

Case C-5356: City of New Haven and towns of North Haven, West Haven, East Haven, Hamden, Branford, North Branford, Guilford, North Guilford, Madison, Woodbridge, Bethany, Northeastern half of Orange; building construction only.

Journeyman linoleum layer.....	\$2.56
Journeyman floor layer.....	2.56

Case C-6854: Norwalk, and area within the territorial jurisdiction of United Brotherhood of Carpenters and Joiners, Local 746; building, heavy and highway construction.

Resilient tile and linoleum layer.....	\$2.625
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Steam Fitters

Case C-8703: Cities of Danbury, Bethel, and Ridgefield, bounded on the north by Litchfield County, south by cities of Wilton and Weston, east by Hoosatonick River, and west by New York State; building construction only.

Steam fitter.....	\$2.50
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Case C-5548: Cities of Stamford and Darien; building construction only.

Steam fitter (including those employed on refrigeration, oil burner, and gas fitting; but not those employed in the metal trades).....

	\$2.80
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Case C-10543: Towns and cities of Granby, Suffield, Enfield, Somers, Stafford, Union, East Granby, Windsor Locks, East Windsor, Ellington, Tolland, Willington, Coventry, Vernon, South Windsor, Bloomfield, Windsor, Simsbury, Canton, Avon, West Hartford, East Hartford, Manchester, Bolton, Andover, Columbia, Mansfield, Hartford, Lebanon, Hebron, Wethersfield, Newington, Farmington, Willimantic, Marlboro, Glastonbury, East Hampton, Portland, Haddam, Durham, Middletown, Cromwell, and Rocky Hill; building construction only.

Journeyman steam fitter.....	\$2.85
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Case C-6420: Townships of Meriden, Wallingford, Southington, and Cheshire; building construction only.

Steam fitter.....	\$2.625
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Case C-8690: Cities of New Britain, Berlin, Plainville, and that part of Newington south of Cedar Street; building construction only.

Steam fitter.....	\$2.60
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Case C-4892: Town of New Canaan; building construction only.

Steam fitter.....	\$2.75
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Case C-5450: Cities and towns of New Haven, West Haven, Orange, Woodbridge, Hamden, Branford, North Branford, Killingworth, Westbrook, Clinton, Madison, Guil-

ford, and East Haven; building construction only.

Steam fitter..... \$2.75

Case C-3351: Towns of New London, Groton, Stonington, Waterford, East Lyme, Lyme, Old Lyme, Essex, Old Saybrook, and the southern parts of Montville and Ledyard, including the submarine base; building construction only.

Steam fitter..... \$2.60

Case C-4392: City of Torrington; towns of Winsted, New Hartford, Canaan, Salisbury, Lakeville, Sharon, Litchfield, Harwinton, and Falls Village; building construction only.

Steam fitter..... \$2.25

Apprentice (average wage)..... 1.355

Case C-3602: City of Waterbury; towns of Wolcott, Thomaston, Watertown, Woodbury, Bethlehem, Southbury, Washington, New Preston, Roxbury, and Middlebury; building construction only.

Steam fitter..... \$2.75

Stone Masons

Case C-7606: Town of Greenwich; building and heavy construction only.

Stone and artificial mason..... \$3.25

Case C-5118: Towns of Meriden, Wallingford and that portion of Cheshire east of the College Highway; building construction only.

Stone mason..... \$2.90

Case C-5730: County of Middlesex and the towns of East Hampton, Colchester, Lebanon, Windham, Chaplin, Hampton, Ashford, Eastford, Pomfret, Brooklyn, Woodstock, Thompson, Putnam, and Killingly; building construction only.

Stone mason..... \$2.90

Case C-5425: City of Waterbury and towns of Beacon Falls, Naugatuck, Mixville, Middlebury, Woodbury, Thomaston, Watertown, Wolcott and Prospect; building, heavy and highway construction.

Stone mason..... \$2.90

Foreman and subforeman..... 3.15

Apprentice:

First 6 months..... 1.10

Second 6 months..... 1.25

Second year..... 1.625

Second half of second year..... 1.78

Third year..... 1.90

Second half of third year..... 2.05

Teamsters

Case C-4966: Towns and cities of Hartford, New Britain, Middletown, East Hartford, West Hartford, Portland, Thompsonville, Glastonbury, Bolton, Manchester, Enfield, Windsor Locks, Avon, Canton, and Barkhamsted; heavy and highway construction only.

Pick up..... \$1.60

Dump truck (up to 10 ton)..... 1.60

Dump and trailer dump (10 ton and over)..... 1.70

Ready mix..... 1.70

Heavy duty trailer (up to 40 ton)..... 1.75

Platform truck (all capacity)..... 1.70

Heavy duty trailer (40 ton and over)..... 1.80

Helper..... 1.60

Euclid..... 1.85

Case C-3714: City of New Haven and towns of East Haven, West Haven, Hamden, Orange, Saybrook, Wallingford, North Haven, Milford, Devon, Bethany, Woodbridge, Branford, Hadam, and Clinton; highway and heavy construction only.

Winch and ready mix truck..... \$1.595

Dump truck up to 10 tons..... 1.485

Euclid..... 1.76

Platform truck..... 1.595

Dump & trailer dump (10 ton or over)..... 1.595

Case C-7902: New London and area within the territorial jurisdiction of the International Brotherhood of Teamsters, Chauffeurs, Warehousemen, and Helpers, Local 493; heavy construction only.

Drivers:

Pick-up..... \$1.65

Dump truck..... 1.65

Euclid..... 1.90

Heavy duty trailer up to 40 tons..... 1.80

Platform..... 1.75

Heavy duty trailer over 40 tons..... 1.85

Tile Layers

Case C-5071: Towns and cities of Bridgeport, Milford, Stratford, Fairfield, Easton, Trumbull, and Southport; building construction only.

Tile layer..... \$2.845

Case C-7258: Towns of Danbury, Bethel, Redding, Newton, Brookfield, New Fairfield, New Milford, Bridgewater, Sherman, Roxbury, and Kent; building construction only.

Journeyman tile setter..... \$2.75

Case C-5167: New Haven and vicinity, which includes the towns of New Haven, West Haven, North Haven, part of Milford, Orange, Woodbridge, Bethany, Hamden, Branford, Guilford, and Madison; building construction only.

Tile layer..... \$2.90

Case C-5383: Towns of Hartford, West Hartford, East Hartford, Manchester, Glastonbury, Rocky Hill, Wethersfield, Newington, Farmington, Burlington, Avon, Canton, Simsbury, Bloomfield, Granby, East Granby, Hartland, Suffield, Windsor Locks, Windsor, South Windsor, East Windsor, Enfield, Somers, Ellington, Vernon, Bolton, Marlboro, Hebron, Columbia, Andover, Coventry, Mansfield, Willington, Tolland, Stafford, and Union; building construction only.

Tile setter..... \$2.90

Case C-5730: County of Middlesex and the towns of East Hampton, Colchester, Lebanon, Windham, Chaplin, Hampton, Ashford, Eastford, Pomfret, Brooklyn, Woodstock, Thompson, Putnam, and Killingly; building construction only.

Tile layer..... \$2.90

Case C-5425: City of Waterbury and towns of Beacon Falls, Naugatuck, Mixville, Middlebury, Woodbury, Thomaston, Watertown, Wolcott, and Prospect; building, heavy and highway construction.

Tile setter..... \$2.90

Foreman and subforeman..... 3.15

Apprentice:

First 6 months..... 1.10

Second 6 months..... 1.25

Second year..... 1.625

Second half of second year..... 1.78

Third year..... 1.90

Second half of third year..... 2.05

Case C-9842: Cities of New London, Montville, Groton, Mystic, Waterford, Stonington to Rhode Island State Line, Niantic, East Lyme, Saybrook, and Old Lyme; building construction only.

Tile setter..... \$2.90

[F. R. Doc. 53-177; Filed, Jan. 8, 1953; 8:46 a. m.]

Office of Price Stabilization

[Ceiling Price Regulation 17, Section 11 (d), Special Order No. 8]

WASHINGTON

ADJUSTMENT OF TANK WAGON CEILING PRICES OF FUEL OIL DISTRIBUTORS, EVERETT - MARYSVILLE - SNOHOMISH - ARLINGTON - MONROE AND STANWOOD MARKETING AREA

Statement of considerations. This special order adjusts the ceiling prices for sales of heating oils (Kerosene, No. 1 and 2 Oils, Furnace Oil, Range Oil and Stove Oil) by tank wagon distributors in the Everett-Marysville-Snohomish-Arlington-Monroe and Stanwood marketing area.

The Office of Price Stabilization was requested by distributors in the Everett-Marysville - Snohomish - Arlington - Monroe and Stanwood marketing area of the State of Washington to conduct a survey to determine whether increased costs have reduced the net margins in the area below a point sufficient to maintain the level of earnings in the year ending May 31, 1950. The results of that survey show that an upward adjustment is necessary to bring earnings to that level.

There are hundreds of heating oil sellers at the tank wagon level in this Region and the need for relief is not uniform but varies from marketing area to marketing area. Thus it is concluded that the adjustment must be on a marketing area basis rather than on a region-wide basis. For the purpose of this special order the market area has been defined as the area of reseller competition, which is the same as the free delivery zones.

The adjustment granted by this order does no more than bring earnings to the level of the year ending May 31, 1950. It is, therefore, consistent with the provisions of Section 11 (d) of Ceiling Price Regulation 17.

Special provisions. For the reasons set forth in the Statement of Considerations and pursuant to the provisions of Section 11 (d) of Ceiling Price Regulation 17 and Delegation of Authority No. 72, it is ordered:

1. That the ceiling price of heating oil distributors in the Everett-Marysville-Snohomish-Arlington-Monroe and Stanwood marketing area of the State of Washington for tank wagon sales of heating oils (Kerosene, No. 1 and 2 Oils, Furnace Oil, Range Oil and Stove Oil) to consumers shall be increased by \$0.002 per gallon. The Everett-Marysville-Snohomish-Arlington-Monroe and Stanwood marketing area is defined as that area in which dealers located in the communities of Everett, Marysville, Snohomish, Arlington, Monroe and Stanwood customarily make deliveries without an additional charge.

2. All provisions of Ceiling Price Regulation 17, except as inconsistent with the provisions of this order shall remain in full force and effect as to the commodities covered by this order.

3. This order may be amended, modified, or revoked at any time.

Effective date. This special order shall become effective on January 7, 1953.

HAROLD WALSH,
Regional Director, Office of
Price Stabilization, Region
XIII.

JANUARY 6, 1953.

[F. R. Doc. 53-194; Filed, Jan. 6, 1953;
11:59 a. m.]

[Ceiling Price Regulation 32, Supplementary
Regulation 2, Section 3, Special Order 27,
Amtd. 1]

DARLING POOL, GLACIER COUNTY, MONTANA

CRUDE PETROLEUM CEILING PRICES ADJUSTED
ON AN IN-LINE BASIS

Statement of considerations. This Amendment No. 1 to Special Order No. 27 corrects the ceiling price for the purchase of crude petroleum produced from the Darling Pool, Glacier County, Montana.

The approved price at the lease receiving tank as stated in the aforesaid Special Order No. 27, under Special Provision No. 1, is \$2.7775 per barrel for 40° API gravity and above with a 2½¢ differential less for each degree of gravity below 40 degrees, down to \$2.50 per barrel for 29° -29.9° API gravity and below.

It has been brought to the attention of this Office that that part of this price schedule which refers to \$2.7775 per barrel for 40° API gravity is in error and should be corrected so that the amended price schedule will read as follows: \$2.775 per barrel for 40° API gravity and above with a 2½¢ differential less for each degree of gravity below 40 degrees, down to \$2.50 per barrel for 29° -29.9° API gravity and below.

Special provisions. For the reasons set forth in the Statement of Considerations, and pursuant to the provisions of Section 3 of Supplementary Regulation 2 to Ceiling Price Regulation 32, it is ordered:

1. That the part of Special Provision No. 1 of Special Order No. 27 following the colon be amended to read as follows: \$2.775 per barrel for 40° API gravity and above with a 2½¢ differential less for each degree of gravity below 40 degrees, down to \$2.50 per barrel for 29° -29.9° API gravity and below.

2. All provisions of Special Order No. 27 except as changed by this amendment thereto, shall remain in full force and effect as far as you are concerned.

3. This amendment may be amended, modified or revoked at any time by the Director of Price Stabilization.

Effective date. This amendment shall become effective on January 7, 1953.

JOSEPH H. FREEHILL,
Director of Price Stabilization.

JANUARY 6, 1953.

[F. R. Doc. 53-195; Filed, Jan. 6, 1953;
12:00 m.]

[Ceiling Price Regulation 32, Supplementary
Regulation 2, Section 3, Special Order 42]

LA SAL VIEJA FIELD, WILLACY COUNTY,
TEXAS

CRUDE CONDENSATE CEILING PRICES ADJUSTED
ON AN IN-LINE BASIS

Statement of considerations. This special order adjusts the ceiling price for the sale of crude condensate produced from the La Sal Vieja Field, Willacy County, Texas.

The Office of Price Stabilization has been requested to eliminate the differential heretofore imposed upon crude condensate produced from the La Sal Vieja Field, Willacy County, Texas. During the base period, due to limited gas sales, this condensate was produced in small quantities and as a result, it was commingled with crude oil produced in this field and was sold at a lower price than that paid for crude condensate of comparable quality produced in the same general area. New gas sales which permit increased production of this condensate have eliminated this condition and this differential should no longer be imposed.

From the information available to this office, it appears that the requested price of \$2.85 per barrel flat does not exceed the ceiling price of comparable crude condensate produced in this same area.

Special provisions. For the reasons set forth in the Statement of Considerations and pursuant to the provisions of Section 3 of Supplementary Regulation 2 to Ceiling Price Regulation 32, it is ordered:

1. That the ceiling price at the lease receiving tank for crude condensate produced from the La Sal Vieja Field, Willacy County, Texas, shall be: \$2.85 per barrel flat.

2. All provisions of Ceiling Price Regulation 32, except as inconsistent with the provisions of this order, shall remain in full force and effect as to the commodities covered by this order.

3. This order may be amended, modified or revoked by the Director of Price Stabilization at any time.

Effective date. This special order shall become effective on January 7, 1953.

JOSEPH H. FREEHILL,
Director of Price Stabilization.

JANUARY 6, 1953.

[F. R. Doc. 53-196; Filed, Jan. 6, 1953;
12:00 m.]

[Ceiling Price Regulation 32, Supplementary
Regulation 2, Section 3, Special Order
43]

NORTH HOUMA FIELD, TERREBONNE
PARISH, LOUISIANA

CRUDE CONDENSATE CEILING PRICES
ADJUSTED ON AN IN-LINE BASIS

Statement of considerations. This special order adjusts the ceiling price for the purchase of crude condensate produced from the North Houma Field, Terrebonne Parish, Louisiana.

The Office of Price Stabilization has been requested to eliminate the differential heretofore imposed upon crude condensate produced from the North Houma Field, Terrebonne Parish, Louisiana. During the base period full production had not been attained and there was a lack of competitive factors and, as a result, this crude condensate was sold at a lower price than that paid for crude condensate of comparable quality produced in the same general area. It appears that this condition has now been eliminated and this differential should no longer be imposed.

From the information available to this Office, it appears that the requested price of \$2.85 per barrel flat does not exceed the ceiling price of comparable crude condensate produced in this same area.

Special provisions. For the reasons set forth in the Statement of Considerations and pursuant to the provisions of Section 3 of Supplementary Regulation 2 to Ceiling Price Regulation 32, it is ordered:

1. That the ceiling price at the lease receiving tank for crude condensate produced from the North Houma Field, Terrebonne Parish, Louisiana shall be: \$2.85 per barrel flat.

2. All provisions of Ceiling Price Regulation 32, except as inconsistent with the provisions of this order, shall remain in full force and effect as to the commodities covered by this order.

3. This order may be amended, modified or revoked by the Director of Price Stabilization at any time.

Effective date. This special order shall become effective on January 7, 1953.

JOSEPH H. FREEHILL,
Director of Price Stabilization.

JANUARY 6, 1953.

[F. R. Doc. 53-197; Filed, Jan. 6, 1953;
12:00 m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 54-173, 191]

PHILADELPHIA CO. AND STANDARD GAS AND
ELECTRIC CO.

ORDER SEPARATING CONSOLIDATED PROCEED-
INGS AND APPROVING PLAN

DECEMBER 31, 1952.

In the matter of Philadelphia Company and Standard Gas and Electric Company, File No. 54-173; Standard Gas and Electric Company, and Philadelphia Company, File No. 54-191.

Standard Gas and Electric Company ("Standard"), a subsidiary of Standard Power and Light Corporation ("Standard Power"), having filed an application (File No. 54-173) pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 ("the act") for approval of a plan and amendments thereto providing for the simplification of the corporate structure of the system of Philadelphia Company ("Philadelphia"), its subsidiary, the three aforementioned

companies being registered holding companies;

Standard having also filed an application (File No. 54-191) pursuant to section 11 (e) of the act for approval of a plan and amendments thereto providing for the liquidation of Standard;

Steps 1 through 4 of the plan for Philadelphia having been consummated and, in connection therewith, the Commission on April 7, 1952, having entered its findings and opinion with respect to Step 4 (Holding Company Act Release No. 11155); Steps I and I-A of the plan for Standard having been consummated, and, in connection therewith, the Commission on October 1, 1952, having entered its findings and opinion with respect thereto (Holding Company Act Release No. 11510);

The proceedings in File No. 54-173 and 54-191 having heretofore been consolidated for the purpose of hearings on Step 5, as amended, of the plan for Philadelphia providing for the retirement of Philadelphia's \$5 Cumulative Preference Stock ("5 Preference Stock") and the records in such proceedings having been incorporated into the record of the consolidated proceeding, subject to the Commission's right upon its own motion to strike such portion of the record as may be deemed irrelevant to the issues raised with respect to Step 5, as amended, and to separate for determination the proceedings concerned with the plan for Philadelphia and the plan for Standard;

Public hearings having been duly held in the consolidated proceedings after appropriate notice at which hearings all interested persons were afforded an opportunity to be heard;

The record in the proceedings on Step 5, as amended, of the plan for Philadelphia having been closed, and the Commission deeming it appropriate to decide separately and now the issues presented by Step 5, as amended, of the plan for Philadelphia, and to strike from the record herein those portions of the consolidated record dealing with Step I-A of the plan for Standard and with Standard's subsidiaries, Oklahoma Gas and Electric Company and Wisconsin Public Service Corporation;

Standard having requested that the Commission's order approving Step 5, as amended, contain recitals in accordance with the requirements of the Internal Revenue Code, as amended, including Supplement R and section 1808 (f) thereof;

Standard having further requested the Commission, pursuant to section 11 (e) of the act, to apply to a United States District Court to enforce and carry out the terms and provisions of the plan;

The Commission having considered the entire record in this matter and having this day filed its supplemental findings and opinion herein finding that Step 5, as amended, is necessary to effectuate the provisions of section 11 (b) of the act and fair and equitable to the persons affected thereby;

It is ordered, That the proceedings on Step 5, as amended, of the plan for Philadelphia (File No. 54-173) and the proceedings on Step II of the plan for Standard (File No. 54-191) be, and the same hereby are, separated for determination.

It is further ordered, That the portions of the record in File No. 54-191 dealing with Step I-A of the plan for Standard and with Oklahoma Gas and Electric Company and Wisconsin Public Service Corporation be, and the same hereby are, stricken from the record in File No. 54-173.

It is further ordered, On the basis of the record herein, the Commission's findings and opinion dated April 7, 1952, and October 1, 1952, and the said supplemental findings and opinion, pursuant to section 11 (e) and other applicable provisions of the act, that said Step 5, as amended, be and it hereby is approved subject to the terms and conditions contained in Rule U-24 of the general rules and regulations promulgated under the act and to the following additional terms and conditions:

1. That this order shall not be operative to authorize the consummation of the transactions proposed in Step 5, as amended, until an appropriate United States District Court shall, upon application thereto, enter an order enforcing said Step 5, as amended;

2. That Standard, Philadelphia and Standard Power shall pay only such fees and expenses in connection with Step 5, as amended, and the proceedings relating thereto as the Commission may approve, allocate, or award on appropriate application made to it, and that jurisdiction be and hereby is specifically reserved to determine the reasonableness and appropriate allocation of all such fees and expenses and other remuneration incurred or to be incurred in connection with Step 5, as amended, and the transaction incident thereto;

3. That jurisdiction be and it hereby is further specifically reserved with respect to the following matters:

a. The supervision of efforts to locate holders of securities to be exchanged under the provisions of Step 5, as amended.

b. The appropriateness of the accounting entries to be made by Philadelphia in recording the transactions incident to the consummation of Step 5, as amended.

c. The terms, conditions, and procedures under which the exchange agent provided for in Step 5, as amended, may buy or sell any shares for the purpose of carrying out the provisions of Step 5, as amended.

d. The entertaining of such further proceedings, entering of such further orders and the taking of such further action as may be necessary or appropriate in connection with Step 5, as amended, the transactions incident thereto and the consummation thereof.

It is further ordered and recited, That all steps and transactions involved in the consummation of Step 5, as amended, including particularly, the transfers, conveyances, exchanges, expenditures and investments, receipts and distributions hereinafter described and recited in subparagraphs I through III below, are hereby authorized and approved and are necessary or appropriate to effectuate the provisions of section 11 (b) of the act and the orders of the Commission previously entered thereunder, all in accordance with the meaning and requirements of Supplement R of the Internal

Revenue Code, as amended, and section 1808 (f) thereof, the stock and other securities and other property to be transferred, conveyed, exchanged, received or distributed upon such transactions and expenditures and investments to be made, being specified and itemized as follows:

I. The transfer by Philadelphia to the holders of its 53,868 shares of \$5 Cumulative Preference Stock, in exchange for and retirement of each share presently outstanding and any dividends accrued thereon to the effective date of the exchange, of 3.6 shares of Common Stock of Duquesne, scrip certificates to be issued and delivered in lieu of fractional shares as provided in Step 5, as amended, and the transfer and delivery by the holders of said \$5 Cumulative Preference Stock to Philadelphia of said shares in exchange for said shares of Common Stock of Duquesne and/or scrip certificates therefor.

II. The transfer and delivery by Philadelphia to the exchange agent provided for by Step 5, as amended, of the 193,925 shares of Common Stock of Duquesne (to be represented by Certificate No. PU 5 registered in the name of Philadelphia) referred to in subparagraph I above; the transfer of said certificate for said Common Stock of Duquesne to and the registration of said stock in the name of said exchange agent or its nominees; the transfer and delivery by said exchange agent to said holders of \$5 Cumulative Preference Stock of Philadelphia, upon the exchanges specified above, of said Common Stock of Duquesne (by certificates issued against, and upon transfer by said agent of part of the shares represented by, such certificate so to be registered in the name of said exchange agent or its nominees) and scrip certificates for fractional interests in said Common Stock; the issuance and delivery by said exchange agent to such holders of \$5 Cumulative Preference Stock of Philadelphia upon such exchanges, in lieu of any fractional shares of Common Stock of Duquesne to which they would otherwise be entitled, of scrip certificates for fractional shares of Duquesne Common Stock as provided in Step 5, as amended; the transfer of such scrip certificates upon the sale thereof for the account of the holders of such scrip certificates; the transfer and delivery by said exchange agent to holders of such scrip certificates of shares of Common Stock of Duquesne to which they are entitled upon presentation (within the period provided in the plan, as amended, and said scrip certificates) of scrip certificates aggregating one or more full shares; the sale, transfer and delivery by said exchange agent, after the expiration of twelve months from the effective date of the exchange, of said shares of Common Stock of Duquesne held in respect of said scrip certificates, as well as additional shares of said Common Stock of Duquesne estimated to be required to provide for fractional share interests in respect of certificates for \$5 Cumulative Preference Stock of Philadelphia then remaining unexchanged, and the purchase by, and transfer and delivery to, said exchange agent of additional shares of said Common Stock of Duquesne as re-

quired for adjustments under section (e) of Step 5, as amended, the transfer and delivery to said exchange agent by the holders thereof of the aforesaid \$5 Cumulative Preference Stock of Philadelphia in the exchanges above described; the transfer and delivery to said exchange agent of said scrip certificates by the holders thereof in exchange for shares of Common Stock of Duquesne and/or cash; the payment by said exchange agent to said holders of \$5 Cumulative Preference Stock of Philadelphia and/or scrip certificates, at the time of delivery and transfer by it of shares of Common Stock of Duquesne as above provided and/or at the time of surrender of said scrip certificates after the expiration of twelve months from the effective date of the exchange, of any amounts received by said exchange agent as dividends upon the shares so delivered or upon the portions of the shares previously held in respect of said scrip certificates, plus their pro rata share, if any, of the proceeds of sale of any shares held for such scrip certificates and so sold, less any taxes which may have been imposed or paid on said dividends; and the transfer and delivery by said exchange agent to Philadelphia of the certificates for the \$5 Cumulative Preference Stock of Philadelphia received by the exchange agent upon such exchanges.

III. Upon the expiration of five years from the effective date of the exchange under Step 5, as amended, the transfer and delivery by said exchange agent to Duquesne of all certificates for shares of stock of Duquesne and all cash received by the exchange agent upon the sale of shares of such Common Stock held in respect of scrip certificates or other fractional interests or received by the exchange agent as dividends or otherwise upon any full shares of such Common Stock which is then held by said exchange agent in respect of \$5 Cumulative Preference Stock of Philadelphia not theretofore surrendered for exchange or in respect of outstanding scrip certificates, and the sale and transfer by Duquesne of the shares of Duquesne Common Stock so received by it from the exchange agent, in accordance with the provisions of section (f) of Step 5, as amended.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 53-178; Filed, Jan. 8, 1953;
8:46 a. m.]

FEDERAL POWER COMMISSION

[Docket No. E-6370]

UNITED STATES DEPARTMENT OF THE INTERIOR AND SOUTHWESTERN POWER ADMINISTRATION

NOTICE OF ORDER CONFIRMING AND APPROVING RATES AND CHARGES IN CONTRACT

JANUARY 5, 1953.

Notice is hereby given that on December 31, 1952, the Federal Power Commission issued its order entered December 30, 1952, in the above-entitled matter, confirming and approving rates and

No. 6—7

charges contained in the contract dated September 22, 1952, with Arkansas Power & Light Company for a period ending February 13, 1953.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-187; Filed, Jan. 8, 1953;
8:47 a. m.]

[Docket No. G-1079]

SOUTHERN CALIFORNIA GAS CO. AND SOUTHERN COUNTIES GAS CO. OF CALIFORNIA

NOTICE OF ORDER ISSUING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

JANUARY 5, 1953.

Notice is hereby given that on December 31, 1952, the Federal Power Commission issued its order entered December 30, 1952, amending order (13 F. R. 5442) issuing a certificate of public convenience and necessity in the above-entitled matter.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-188; Filed, June 8, 1953;
8:48 a. m.]

[Docket No. G-1739]

ST. CHARLES GAS CORP.

NOTICE OF ORDER FURTHER AMENDING ORDER CONDITIONALLY ISSUING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

JANUARY 5, 1953.

Notice is hereby given that on December 31, 1952, the Federal Power Commission issued its order entered December 30, 1952, further amending order (17 F. R. 8164) conditionally issuing certificate of public convenience and necessity in the above-entitled matter.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-189; Filed, Jan. 8, 1953;
8:48 a. m.]

[Docket No. G-1940]

OHIO VALLEY GAS CORP.

ORDER FIXING DATE OF HEARING

JANUARY 2, 1953.

On April 16, 1952, Ohio Valley Gas Corporation (Applicant), an Indiana corporation having its principal place of business in Winchester, Indiana, filed an application, and on October 16 and November 26, 1952, supplements thereto, for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of certain natural-gas transmission facilities, subject to the jurisdiction of the Commission, as described in the application on file with the Commission and open to public inspection.

The Commission finds: This proceeding is a proper one for disposition under the provisions of § 1.32 (b) (18 CFR 1.32

(b)) of the Commission's rules of practice and procedure, Applicant having requested that the application be heard under the shortened procedure provided by the aforesaid rule for noncontested proceedings, and no request to be heard, protest, or petition having been filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER of May 8, 1952 (17 F. R. 4247).

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing be held on January 23, 1953, at 9:45 a. m., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by such application: *Provided, however,* That the Commission may, after a noncontested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Date of issuance: January 5, 1953.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-186; Filed, Jan. 8, 1953;
8:47 a. m.]

[Docket No. G-2027]

TEXAS EASTERN TRANSMISSION CORP.

NOTICE OF ORDER ISSUING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

JANUARY 5, 1953.

Notice is hereby given that on January 2, 1953, the Federal Power Commission issued its order entered December 30, 1952, issuing a certificate of public convenience and necessity in the above-entitled matter.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-190; Filed, Jan. 8, 1953;
8:48 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 27692]

VARIOUS COMMODITIES FROM, TO AND BETWEEN POINTS IN SOUTHERN TERRITORY
APPLICATION FOR RELIEF

JANUARY 6, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to tariffs named in the

application, pursuant to fourth-section order No. 17220.

Commodities involved: Acetic acid, aluminum billets, ingots, etc., and various other named commodities, in carloads and less than carloads.

Territory: From, to, and between points in southern territory.

Grounds for relief: Competition with rail carriers, circuitous routes, and to maintain grouping.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
Acting Secretary.

[F. R. Doc. 53-181; Filed, Jan. 8, 1953;
8:46 a. m.]

[4th Sec. Application 27693]

ANHYDROUS AMMONIA FROM HOPEWELL,
VA., TO MADISON AND MERRIMAC, WIS.

APPLICATION FOR RELIEF

JANUARY 6, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: C. W. Boin, Agent, for carriers parties to proposed rates in his tariff I. C. C. No. A-970.

Commodities involved: Anhydrous ammonia, carloads.

From: Hopewell, Va.

To: Madison and Merrimac, Wis.

Grounds for relief: Competition with rail carriers and circuitous routes.

Schedules filed containing proposed rates: C. W. Boin, Agent, I. C. C. No. A-970, Supp. 1.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
Acting Secretary.

[F. R. Doc. 53-182; Filed, Jan. 8, 1953;
8:47 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

MRS. JESSIE AMICI GROSSI AND MRS.
ELIZABETH T. KELTON

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location
Mrs. Jessie Amici Grossi, 54 Lungarno, Amerigo Vespucci, Florence, Italy; Claim No. 28904; \$711.50 in the Treasury of the United States.

Mrs. Elizabeth T. Kelton, Pirates Point, Riddell's Bay, Warwick, Bermuda; Claim No. 28908; \$711.50 in the Treasury of the United States.

The above amounts will be paid to the United States Department of State, by request of the claimants, in payment of a Department of State obligation.

Executed at Washington, D. C., on January 5, 1953.

For the Attorney General.

[SEAL] ROWLAND F. KIRKS,
*Assistant Attorney General,
Director, Office of Alien Property.*

[F. R. Doc. 53-201; Filed, Jan. 8, 1953;
8:49 a. m.]

PAOLO DA POZZO ET AL.

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location
Paolo Da Pozzo, Tilde Da Pozzo, Matilde Farina Da Pozzo, Spezia, Italy; Claim No. 39791; \$58.75 in the Treasury of the United States and stock of the De Nobili Cigar Company, a New York corporation, consisting of 10 shares, third preferred capital stock, par value \$25 per share, Certificate No. 275, and 6 shares, common capital stock, par value \$50 per share, Certificate No. 236, in Safekeeping Department, Federal Reserve Bank of New York, at New York City; to Paolo Da Pozzo, Tilde Da Pozzo and Matilde Farina Da Pozzo.

Executed at Washington, D. C., on January 5, 1953.

For the Attorney General.

[SEAL] ROWLAND F. KIRKS,
*Assistant Attorney General,
Director, Office of Alien Property.*

[F. R. Doc. 53-202; Filed, Jan. 8, 1953;
8:50 a. m.]